From its founding in 1870, the Association, as well as others in the legal community and public interest organizations, has been pushing for reform in the way judges are selected in New York. While these groups were successful in establishing the method of appointing Court of Appeals Judges and a much improved process for filling mayoral judicial appointments, efforts to change the State’s method of electing judges have faced formidable obstacles.

Now, it looks like something will have to give. Federal Judge John Gleeson has ruled that the method of selecting party nominees for state Supreme Court, the judicial conventions, is unconstitutional. Judge Gleeson found the process to be under the tight control of the party leaders, thus depriving candidates who were not favored by those of leaders of a meaningful opportunity to run for office. This, he held, deprives the voters of the opportunity to select anyone other than the political leaders’ chosen candidates. Judge Gleeson called upon the Legislature to remedy the situation, and in the meantime ruled that party nominees for Supreme Court Justice must be selected through direct primaries. He has now stayed the ruling pending an expedited appeal.

Shortly after the decision, I issued a statement noting that, while the decision provides an excellent opportunity to reform the judicial selection system, the interim remedy of direct primaries still leaves us with many problems. Forcing all Supreme Court candidates into an election where they must raise funds from lawyers who would appear before them and address issues likely to come before them if elected, all while still needing to curry favor with political leaders, is not a long-term solution.

The City Bar has long preferred that judges be appointed, using a method by which citizens commissions, consisting of lawyers and non-lawyers and appointed by executive, legislative and judicial officials, select a limited number of highly qualified candidates, from which the appointing authority must choose. We believe this method would produce a bench of high quality while reducing political leaders’ influence over the process. Recognizing that this proposal lacks the support of the State’s legislative and political leadership, the Association has also proposed reforms in the elective system. The recommendations were developed by a Task Force appointed by my predecessor, Leo Milonas, and chaired by Bob Joffe. The Task Force will present its report to the Board at its June meeting.

You are a typical lawyer; type A, high achieving personality. You have been enjoying your job, well most of the time, and racking up those billable hours. Friends and family have come to understand that time is not your own, and have learned to be flexible and thankful for the time that you do have and make it high quality.

But all of the sudden you get an email from your firm’s professional development department. And no, its not reminding you of your unmet CLE credits. Instead it is telling you that you are eligible for a month or more of a paid sabbatical. You can go anywhere you want in the world, study a language, take classes or stay right here close to home spending time with family.

You’re dreaming, right. No, it is actually part of a growing trend of law firms seeking to boost morale and aid in retention. The programs vary in length and format. Some offer time off to focus on career development (teaching a law class, studying a foreign language or working with a client.) Others offer time off with no strings attached. Their lawyers can travel the world, stay at home with their children, or simply sleep the month away.

Whatever the length or parameters of the program, the goal for the firm is the same. To have lawyers come back refreshed, re-energized and happy. And for those who take advantage of the opportunity, the results do not disappoint.

Shearman & Sterling gives fifth and sixth year associates who have been with the firm for at least two years, the option of one month away focusing on career development or a chance to spend three months abroad at one of the firm’s satellite offices.
**NEW YORK CITY BAR CO-SPONSORS ABA RESOLUTION ON SURVEILLANCE**

The New York City Bar Association co-sponsored a resolution at the recent American Bar Association House of Delegates meeting that called upon the Bush Administration to comply with the Foreign Intelligence Surveillance Act (FISA) in conducting surveillance. The resolution further stated that if the law does not provide sufficient authority to protect the nation, the President should seek the necessary authority from Congress. The resolution also asked Congress to affirm that its authorization for military action in the "War on Terror" did not expand the authority of the president to conduct surveillance.

The ABA resolution called upon Congress to conduct an investigation into the nature and legality of the surveillance, and determine whether Congress was properly informed and consulted during the process. Furthermore, it urges that this investigation be "conducted in a fashion that will provide a clear and credible account to the people of the United States."

The full text of the resolution is available online at www.abanews.org.

**MONDAY NIGHT LAW PROGRAM**

The New York City Bar’s Monday Night LAW program will now provide counseling to individuals on an array of small business matters, like corporate structuring, intellectual property, and commercial leasing. In the Monday Night LAW program, run by the Committee on Legal Services for Persons of Moderate Means, volunteer lawyers provide free legal counseling to low- and moderate-income people needing assistance. Clients reach the program through the Legal Referral Service. The primary subjects have included bankruptcy, landlord-tenant, family, and employment law matters. But starting April 3rd, the program is set to expand to help small business owners, many of whom are persons of low to moderate income who are trying to parlay their energy and ingenuity into a successful business.

The counselors who will assist small businesses have received training provided by the City Bar Justice Center’s Neighborhood Entrepreneur Law Project, directed by Akira Arroyo. The Project will work cooperatively with Monday Night LAW to develop its new counseling effort. Monday Night LAW will also receive referrals from ACCION New York, which provides loans and technical assistance to small businesses, and Cleary Gottlieb Steen & Hamilton LLP, which has been assisting ACCION clients.

Small business owners will receive advice on a wide range of matters, including:

- Business structuring: incorporation, LLC, sole proprietorship, etc.
- Creating partnerships, negotiating agreements (commercial leases, business contracts, loan agreements).
- Buying or selling a business
- Employment and benefit matters, general business and tax planning
- Intellectual property
- Commercial lease problems, e.g., problems a client has found with their business location after they have moved in, or not being provided with services such as heat.
- Not being paid for goods or services rendered, or dealing with damaged shipments
- Accounting problems

For more information, please contact Russ Bleemer at monadynightlaw@gmail.com.

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**LEGAL REFERRAL SERVICE CELEBRATES NATIONAL LAW DAY**

In celebration of National Law Day on May 1st, the Legal Referral Service has organized a series of legal information fairs. These events offer an excellent opportunity for New Yorkers to learn about their legal rights and responsibilities and to receive material on diverse legal topics. Qualified attorneys will be available to answer legal questions and various community organizations will be present to distribute information to the public. In the past, these events have attracted crowds seeking legal information, received media coverage, and garnered awards from the American Bar Association.

The Legal Referral Service will be holding Law Day fairs at the following locations:

- **Manhattan:** May 1, 2006 11-2pm 111 Centre Street
- **Brooklyn:** May 2, 2006 11-2pm Brooklyn Boro Hall – Columbus Park
- **Queens:** May 3, 2006 11-2pm Queens Civil Court
- **Bronx:** May 4, 2006 11-2pm Bronx Supreme Court Plaza

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**Forty-Fourth Street Notes**

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Civil Rights Committee
Letter to Congress expressing opposition to language in H. Amdt. 596, a manager’s amendment to H.R. 1461, that would disqualify nonprofit organizations from participating in a federal grant program designed to increase the supply of affordable housing for low-income families if the organizations or their affiliates have engaged in nonpartisan voter registration, get-out-the-vote drives or lobbying within the past twelve months. The amendment, the letter argues, would not further, and in fact could hinder, the goal of the legislation, which is the creation of affordable housing.

Letter to Congress urging support for H.R. 3734, S. 1867, the Displaced Citizens Voter Protection Act of 2005, which would permit citizens displaced by Hurricane Katrina to register to vote by absentee ballot pursuant to the efficient and reliable procedures already established under the Uniformed and Overseas Absentee Voting Act.

Environmental Law
Letter to the Task Force on the National Environmental Policy Act commenting on its draft report and recommendations to improve the National Environmental Policy Act. Though the letter expresses general support of the effort by the Task Force to enhance the coordination of federal agencies with state, tribal and local agencies, there are several recommendations that should not be finalized because the proposed changes are not necessary or prudent.

Family Court and Family Law
"Introductory Guide to the New York City Family Court." Originally published in 1997, the 2006 edition has been updated, revised and expanded. The Guide describes how the court works and some of the legal terms and issues that relate to family law cases, and is designed for those unfamiliar with the court and its process.

Lesbian, Gay, Bisexual and Transgender Rights
Sex and Law
Amicus Brief filed with the Inter-American Commission on Human Rights in the Matter of Atala. The brief argues that the Chilean Supreme Court, by denying Ms. Atala custody of her children solely on the basis of her sexual orientation, acted in a discriminatory manner and violated her rights protected by the American Convention on Human Rights.

International Human Rights
Letter to the president of Pakistan urging the Pakistani government to comply with its obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The letter notes that some of the discriminatory laws and practices that existed in Pakistan when it ratified the CEDAW still exist today and that the Pakistani government needs to take steps to repeal these discriminatory laws. The letter also urges the government to ensure that laws are not enforced in a discriminatory manner, that those who perpetrate crimes against women be punished for their crime, and that public education programs be put in place to raise awareness of the principles of equality enshrined in the CEDAW.

Letter to the Minister of the State of Northern Ireland expressing concern over the independence of the inquiries by the government in the Patrick Finucane case. The letter urges that the government make every effort to ensure that the process is fair, independent, and open to public scrutiny and that the inquiries satisfy the United Kingdom’s obligations under Article 2 of the European Convention on Human Rights.

Legal Issues Pertaining to Animals
Letter to the American Red Cross urging that the Red Cross adopt a policy that includes animals in a meaningful way in its disaster planning. As was evident in the Hurricane Katrina disaster, the letter points out, many people are willing to risk their lives rather than abandon their animals. Therefore, any policy that includes animals should provide for persons to be evacuated together with their companion animals and sheltered either together or close enough that people can easily spend time with and care for their animals.

Patents
Amicus Brief: eBay Inc. and Half.com v. Merc Exchange. Filed with the Supreme Court of the United States, the brief argues that the Federal Circuit erred in setting forth a general rule in patent cases that a district court must, absent exceptional circumstances, issue a permanent injunction after a finding of infringement. Claims for patent infringement arise from highly diverse circumstances and to say that in all cases and circumstances district courts must implement a general rule would only impose bias. District courts, argues the brief, should be permitted to consider a broad range of factors when deciding if injunctive relief is in accordance with the principles of equity.

To address these issues, I have asked Bob Joffe to chair another Task Force to examine these developments and develop our own recommendations for what changes should take place. The other members of the Task Force are: Terri D. Austin, Hon. Deborah A. Batts, Sheila Birnbaum, Richard Cashman, Katherine T. Cobb, Beth L. Kaufman, Niki K. Kerameus (Secretary), Roger J. Maldonado, Lawrence A. Mandelker, Maria Park, Richard Riffkin, Scott A. Rosenberg, Dean David M. Rudenstine, Jay G. Safer and Fern Schair.

I expect the Task Force to be very active over the next few months. Change is in the air, and the Association should, and will, bring its expertise to the debate. The goal is to develop a judicial selection system that provides a high-caliber bench independent of political influence, and that is perceived by the public of being independent of that influence.
April 2006 Calendar

Unless otherwise noted, programs are free of charge; open to all members, their guests and the general public; and held at the House of the Association. Program information subject to change. Please check our Website at www.nycbar.org for the latest program information.

The Association will be closing at 3:00 p.m. on April 4, 2006, in preparation for the City Bar Justice Center Gala that evening. Normal hours will resume on April 5th. We apologize for any inconvenience.

11 Tuesday, 8:30 am – 10 am

In Transition? How to Stay in the Game

How many times during the course of your legal career have you thought about making a change or wondered if you could pursue another interest while still practicing law? This program will explore the options available to attorneys who are looking to make a transition, but are not necessarily ready to give up the practice of law or who have transitioned out of the practice of law, but want to maintain the option of returning to the law. The panel will include attorneys who are successfully pursuing other interests while continuing to practice law; who advise, assist and place attorneys who are in transition; and who can advise on the different options available to keeping your legal skills fresh while in transition.

Speakers:
Niall O’Hegarty
Actor, Practicing Attorney
Craig Zolan
Senior Vice President, Attorney Outreach, Axiom Legal
Jennifer McCarrroll
Attorney Consultant, Update Legal
Kwanza Butler
Director of Public Service, Network, City Bar Justice Center

Registration by March 31 is necessary. The fee, which includes break-

fast, is $10. Please register online at www.nycbar.org

4 Tuesday, 6 pm – Cocktails; 7:30 pm – Dinner

City Bar Justice Awards — Inaugural Gala

The City Bar Justice Center’s Inaugural Gala will honor Simpson Thacher & Bartlett LLP and the American Express Company for their leadership and dedication to public service. H. Rodgin Cohen of Sullivan & Cromwell LLP and Joan Guggenheimer of JP Morgan Chase & Co. are co-chairs of the event.

For more information, please contact the benefit office at (212) 249-6188 or jennifer.kunin@verizon.net.

5 Wednesday, Noon-2pm

Public Affairs Luncheon

The Public Affairs Luncheon Series features speakers who address matters of public interest. The Luncheons provide a forum to enable members of the Bar Association to network, socialize and discuss matters of interest. The Luncheons are open to the public.

Speaker:
Jerome A. Cohen
Professor of Law, New York University School of Law


Luncheon Chair:
Jerome R. Rosenberg

Luncheon Vice-Chair:
Emily Campbell

Registration by April 3 is required to guarantee admission. Registrations received after April 3 are subject to availability. The fee, which includes lunch, is $25. Please register on page 8 or online at www.nycbar.org

5 Wednesday, 6-8 pm

The State of New York Court Interpretation: Are We Talking the Talk?

The Task Force on Women in the Courts invites you to join in an examination of the complex and pressing issues involved in court interpretation in New York’s multi-language environment.

The current practices in the New York courts as well as future plans for recruiting and training interpreters will be described. Representatives from other jurisdictions and disciplines will report on their efforts to deal with the issues. Representatives of community groups will discuss the experiences and concerns of their members. The audience will have an opportunity to ask questions of the panelists. Individuals who require the services of an interpreter are welcome to bring interpreters with them.

Welcome:
Bettina B. Plevan
President, New York City Bar

Moderator:
Fern Schair
Senior Vice President, The American Arbitration Association

Speakers:
Hon. Jonathan Lippman
Chief Administrative Judge, New York State Unified Court System

Purvi Shah
Executive Director, SAKHI for South Asian Women

Sandra Bryan
Coordinator of Court Interpreting Services, Office of Court Administration, New York State Unified Court System

Robert Driscoll
Alston and Bird, Washington, D.C., former Deputy Assistant Attorney General and Chief of Staff for the Civil Rights Division of the US Department of Justice

Robert Joe Lee
Court Executive, New Jersey Courts Language Services Section

Eric Brettschneider
Executive Director, Agenda for Children Tomorrow (ACT)

Co-sponsored by: Asian American Bar Association of New York, the Asian American Legal Defense and Education Fund, the National Asian Pacific American Bar Association, and the Nigerian Bar Association

Please RSVP to RSVPWTF@yahoo.com by April 1st.
6 Thursday, 12:30-2 pm

SMALL LAW FIRM LUNCHEON

THE EFFECTIVE USE OF BUSINESS PLANS FOR SMALL FIRMS

Creating a business plan is an important factor in ensuring the success of any business including the business of a law firm. But how do you prepare a business plan? What information is included in a business plan? What types of uses does a business plan have? Whether you are considering the plunge to start your own practice or have an established practice, a business plan for a law firm can be a useful tool. Our panelists will answer these questions and many others relating to the preparation and the many uses of a business plan.

Speakers:
CHRISTOPHER R. WILLIAMS
Law Office of Christopher R. Williams, PC

ROBIN KRAVITZ
Law Office of Robin Kravitz

Sponsored by LexisNexis

Registration by March 30 is necessary. The fee, which includes lunch, is $20 for members, $30 for non-members. Please register on page 8 or online at www.nycbar.org

6 Thursday, 6-8 pm

TERRORISM: LEARNING FROM THE U.S. RESPONSE TO 9/11

This program will focus on the important U.S. and international law issues arising from the 9/11 tragedy and the responses of the U.S. government to such acts of terrorism. Topics will include military trials and detentions, "enemy combatants," "extraordinary rendition" and the PATRIOT Act. A brief reception will follow.

Program Co-Chairs:
JAMES R. SILKENAT
Arent Fox; Former Chair, ABA Section of International Law

BETTINA B. PLEVAN
President, New York City Bar

Speakers:
RICHARD THORNBURGH
Kirkpatrick & Lockhart LLP, Washington, D.C.; Former Governor of Pennsylvania; Former Attorney General of the United States

JOSEPH R. BIDEN, Jr.
U.S. Senator from Delaware

JAMES R. THOMPSON
Winston & Strawn, Chicago, Illinois; Commissioner, National Commission on Terrorist Attacks on the U.S.; Former Governor of Illinois

Commentators:
MILES FISCHER
Former Chair, Committee on Military Affairs and Justice, New York City Bar

SCOTT HORTON
Patterson Belknap Webb & Tyler

MARTIN FLAHERTY
Professor, Fordham University School of Law

Co-sponsored by:
ABA's U.N. and International Institutions Coordinating Committee, the National Security Committee, the Middle East and Islamic Forum Committee, and the International Human Rights Committee

6 Thursday, 6-8 pm

ARBITRATOR'S TRAINING PROGRAM AND INDUCTION CEREMONY

BECOMING A SMALL CLAIMS ARBITRATOR

Attorneys with more than five years' experience are eligible to serve as arbitrators in the Small Claims part of the New York City civil court in all five boroughs.

2 CLE credits available. This program does not provide transitional credits for newly admitted attorneys. There is no fee for this program. However, those who attend are expected to volunteer their time to arbitrate in the Small Claims part on at least six occasions. To register, please call Gail Johnson at (646) 386-5420.

7 Friday, 6 pm

FRIDAY EVENING CHAMBER MUSIC AT THE ASSOCIATION

The Lawyers' Orchestra is presenting Susanna Eyton-Jones, Soprano, and Frank Daykin, Piano. They will be performing works by Mozart, Debussy and Britten.

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

8 Saturday, 9:00 am – 2:00 pm

WHAT ARE JURIES THINKING: A PRACTICAL LOOK AT ASKING JURORS QUESTIONS AND LETTING JURORS ASK QUESTIONS

Using panel discussions and a "mock trial" with real jurors, this seminar will explore innovative jury trial practices – in voir dire and during trial. Real jurors will sit on a "mock trial" based on an assault case tried in Criminal Court and have an opportunity to ask questions. Audience members will observe and listen while the judge decides in consultation with counsel whether to permit the jurors' questions. The exercise will allow practitioners to decide whether their worst fears will be realized or whether they'll find benefit in permitting jurors to ask questions. Panelists and mock trial participants will include experienced defenders and ADA's as well as judges who participated in the Jury Trial Project, a statewide experiment with innovative jury trial practices.

The program will conclude with a luncheon presentation by a Justice of the Louisiana Supreme Court, who will speak about the effects of Hurricane Katrina and its aftermath on the Louisiana criminal justice system.

Panelists:
AMY ATTIAS
Criminal Defense Attorney

HON. PHYLIS SKLOOT BAMBERGER
Retired New York State Court of Claims Judge

HON. CHERYL E. CHAMBERS
New York State Supreme Court Justice, Kings County

HON. MARGARET CLANCY
Acting New York State Supreme Court Justice, Bronx County

JULIE HOWE
Jury Trial Consultant, JHowe Consulting

ELISSA KRAUSS
Office of Court Research, New York State Unified Court System

ROBERT MASTERS
Assistant District Attorney, Queens County

FLORIAN MEIDEL
Assistant Federal Defender, Federal Defenders of New York, Eastern District

ANNA-SIGGA NICOLAZZI
Deputy Bureau Chief, Homicide Bureau, Kings County District Attorney's Office

Luncheon Speaker:
HON. CATHERINE KIMBALL
Justice, Louisiana Supreme Court

Registration is required. The fee to attend the program, which includes lunch, is $80, $50 for government and public interest lawyers. CLE credit will be provided. Please register on page 8 or online at www.nycbar.org. For more information, you may call 212-382-6624.
11 Tuesday, 6-7:30 pm

DRM: DIGITAL RIGHTS MANAGEMENT OR DIGITAL “RESTRICTIONS”

DRM IN THE WAKE OF THE SONY “ROOTKIT” CONTROVERSY

A panel of intellectual property law and DRM experts will discuss this emerging field, and how to balance the competing legal interests of consumers, rights holders, and other actors and intermediaries. Among the questions to be addressed by the panel, after presentation of a DRM “mini-tutorial,” will be:

- What is the proper relationship between DRM and “fair use” rights?
- Should any DRM standards be mandatory, and what present efforts are being made to require DRM in various systems?
- What standards of consumer disclosure should accompany DRM software and what are the limitations posed by it?

Moderator:
KENNETH DRIEFACH
Chief, Internet Bureau; Office of a New York State Attorney General

Speakers:
BILL ROSENBLATT
DRM Consultant/Editor, DRMWatch.com

RICHARD COTTON
Executive Vice President/General Counsel, NBC-Universal

STEVE MARKS
General Counsel, RIAA

WENDY SELTZER
Professor, Brooklyn Law School

GIGI B. SOHN
President/Co-Founder, Public Knowledge

Program Chair:
EVERETT CARBAJAL
Attorney at Law

18 Tuesday, Noon - 2 pm

THE 2005 REVISIONS TO THE MODEL STANDARDS OF CONDUCT FOR MEDIATORS

Learn about the latest revisions to the Model Standards of Conduct for Mediators and protect the integrity of your mediation practice, protect your clients and help maintain the public’s confidence in mediation. These ethical guidelines for mediators were revised in September 2005 by a joint committee of the American Bar Association, the American Arbitration Association, and a joint committee of the Association for Conflict Resolution to reflect changes in mediation practice since 1994 and the drafting of the Uniform Mediation Act. The new standards address impartiality, disclosure and confidentiality, and they offer detailed guidance for mediators on advertising and quality of process.

Moderator:
KENNETH DRIEFACH

Speakers:
ALFRED G. FELIU
Vandenberg & Feliu

ERIC TUCHMANN
General Counsel, American Arbitration Association

JOHN WILKINSON
Fulton, Rowe, Hart & Coon

REGISTRATION BY APRIL 14 IS NECESSARY. The fee, which includes lunch, is $25 for members; $30 for non-members. Please register online at www.nycbar.org

19 Wednesday, 5-7 pm

RECEPTION FOR BANKRUPTCY JUDGES AND ATTORNEYS

The Association is hosting a cocktail reception for over 100 bankruptcy judges who will be in New York for a conference conducted by the Federal Justice Center. Members of the bar are invited to attend.

The fee is $45 for members and $65 for non-members. Bankruptcy judges are invited at no charge. To RSVP, please register on page 8 online at www.nycbar.org, or call (212) 382-6660

20 Thursday, 5:30 pm - Reception; 6-7:30 pm - Program

THE NITTY GRITTY OF SUPREME COURT PRACTICE, AND WHETHER IT SHOULD CHANGE

This Annual Bench/Bar Forum focuses on specific aspects of New York Supreme Court practice, and asks whether change is in order: Should the RJI system remain, or should judges be assigned when actions are filed (following the federal system)? Are Notes of Issue obsolete (and should state courts follow instead federal practices as to trial readiness)? Should recently-adopted Rule 202.8(h) of the Uniform Civil Rules for Supreme and County Courts, mandating a letter to remind judges that 60 days have passed since a motion was submitted, be abolished? Members of the bench and bar are invited to join in the discussion. This is a critical event for those who want to learn about the nitty gritty and the cutting-edge issues of New York practice.

Please Note: This program will take place at the Appellate Division, Second Department Courtroom, 45 Monroe Place, Brooklyn, New York.

Moderator:
HOWARD B. LEVI
Levi Lubarsky & Feigenbaum LLP

Speakers:
KATE HARRISON
Paduano & Weintraub

CECELIA FANNELLI
Stroock & Stroock & Lavan

Registration by April 14 is necessary. The fee for each breakfast is $15. Attendance is limited. Please register online at www.nycbar.org. For more information, please contact Andrea Masley at (917) 805-6267 or Carrie H. Cohen at (212) 416-8242.

20 Thursday, 8:30 am - 9:30 am

BREAKFAST SERIES: WOMEN IN COMMERCIAL LITIGATION

PART IV – ARBITRATING A COMMERCIAL CASE

This breakfast series will focus on how to arbitrate a commercial case and is the fourth breakfast in a five-part breakfast series on women in commercial litigation. The final breakfast is on May 18, 2006, and will feature Federal District Judge Shira Scheindlin and New York Supreme Court Justice Helen E. Freedman.

Moderator:
MARGARET DALE
Proskauer Rose LLP

Speakers:
KATE HARRISON
Paduano & Weintraub

CECELIA FANNELLI
Stroock & Stroock & Lavan

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A panel discussion on proposals for legal and institutional reform aimed at increasing the accountability of United Nations peacekeeping personnel for acts of sexual exploitation.

Moderators:
ELIZABETH DEFEIS
Professor of Law, Seton Hall University School of Law

Speakers:
H.R.H. PRINCE ZEID RA'AD AL-HUSSEIN
Permanent Representative of Jordan to the United Nations

LISA KURBIEL
Integrated Training Service, UN Department of Peacekeeping Operations

SARAH MARTIN
Advocate, Refugees International

25 Tuesday, 8:30 am – 10 am
PROFESSIONAL DEVELOPMENT BREAKFAST WORKSHOPS SERIES FOR MID-LEVEL ASSOCIATES

WORKSHOP VII
Getting Into the Spotlight: Increasing Your Exposure and Authority Within (and Outside) the Firm

To be successful, whether in a law firm, in small or solo practice, in-house or in public service, attorneys must generate confidence and command the respect of clients and other lawyers. Being a great legal expert is not enough -- success comes from getting others to listen and adopt your position. Topics to be covered will include strategies for:

- Building your credibility
- Promoting your expertise to others
- Getting the "right" assignments
- Staying in the limelight
- Working with those who will support and promote you

Speaker:
M.J. TOCCI
Trial Run, Inc.

1½ CLE credits in skills. This program does not provide transitional credits for newly admitted attorneys. This event has no fee for members, and attorneys from sponsoring firms. There is a $45 fee for non-members. Please register through CLE at www.nycbar.org.

25 Tuesday, 6:30-8 pm
ABSTINENCE ONLY: HIV/AIDS, HUMAN RIGHTS, AND FEDERALLY FUNDED ABSTINENCE-ONLY PROGRAMS IN THE U.S. AND ABROAD

The U.S. spends millions of dollars both domestically and abroad on "abstinence-only" programs. Experts on health and human rights will discuss how these programs affect comprehensive sexuality and HIV/AIDS education programs, and fundamental rights to health, information, and life.

Moderator:
REBECCA SCHLEIFER
Researcher, HIV/AIDS and Human Rights Program, Human Rights Watch

Speakers:
DR. JOHN SANTELLI
Chairman, Dept of Population and Family Health, Mailman School of Public Health, Columbia University

JONATHAN COHEN
Program Director, Law and Health Program, Open Society Institute

JULIE STERNBERG
ACLU Reproductive Health Freedom Project

26 Wednesday, 12:30-2 pm
LUNCHEON WITH JUDGE DAVID G. TRAGER

The Litigation Committee is pleased to announce another luncheon in its very popular luncheon series with a Judge. This luncheon with Judge David G. Trager of the United States District Court for the Eastern District of New York promises to be both enlightening and entertaining. To facilitate the discussion, we are intending to limit the total number of attendees to approximately 30, so please RSVP as soon as possible if you are interested in attending.

Speaker:
LESLEY FAIR
Senior Attorney, Bureau of Consumer Protection, Federal Trade Commission

9:00 am – Basics of FTC Advertising Law
Understanding ad meaning, endorsements, disclosures, and other advertising "rules of the road"

Speaker:
DAVID G. TRAGER
District Court for the Eastern District of New York

9:35 am –  Basics of BBB Advertising Standards
Applying the BBB Code of Advertising to your company’s practices
April 2006 Registration Form

☐ Public Affairs Luncheon – 5 Wednesday
   The fee, which includes lunch, is ☐ $25.

☐ Small Law Firm Luncheon – 6 Thursday
   The fee is ☐ $20 for members, ☐ $30 for non-members.

☐ What Are Juries Thinking: A Practical Look at Asking Jurors Questions and Letting Jurors Ask Questions – 8 Saturday
   The fee, which includes lunch, is ☐ $80., ☐ $50. for government and public interest lawyers.

☐ Reception for Bankruptcy Judges and Attorneys – 19 Wednesday
   The fee is ☐ $45 for members, ☐ $65 for non-members.

   General admission is ☐ $20, admission of members of organizations listed above is ☐ $15.

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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.
Duke Captures National Moot Court Competition

Duke University School of Law won the final round of the 56th Annual National Moot Court Competition on February 2nd at the New York City Bar Association. Law students on the winning team (seen here, left to right) are: April Nelson, Sara Wickware and Audry Casusol.

The University of Memphis Law School took second-place honors. The team consisted of Shannon McKenna, Todd Richardson and Mark Thompson.

Best Brief honors went to the Duke University team, and Best Runner-Up Brief went to The George Washington University Law School, whose team members included Philip Warrick and V. David Zvenyack. Best Speaker was Mark Thompson of the University of Memphis Team, and runner-up honors went to April Nelson of the Duke University Team.

Twenty-eight winning and runner-up teams from 14 regions across the United States competed in the final rounds of the National Moot Court Competition. The American College of Trial Lawyers, a national organization composed of approximately 5,000 of the leading advocates in the United States, is a co-sponsor of the competition with the Association’s Young Lawyers Committee.

John Feerick Receives the Association Medal

On March 6th, former Association President John Feerick was presented with the Association Medal, an award that has been presented only 19 times in the more than fifty years of its existence.

The Association Medal is presented to a "member of the New York Bar who has made exceptional contributions to the honor and standing of the bar in this community," and the presentation highlighted the many contributions of John Feerick. From a distinguished, twenty-year career at Skadden Arps through his tenure as Dean of Fordham Law School and his 1992-1994 presidency of the Association, he has always made a priority of public service and contributing to the community.

The speakers included current Association President Betsy Plevan; Chief Judge Judith S. Kaye; Rev. Joseph A. O’Hare, S.J., former President of Fordham University; William P. Frank of Skadden Arps Slate Meagher & Flom and Federal District Judge Leonard Sand, Chair of the City Bar’s Honors Committee.

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For a listing of programs or to register, visit www.nycbar.org or call 212-382-6663.
DELEGATING IS AN ART

The best executive is the one who has sense enough to pick good men to do what he wants done and self-restraint enough to keep from meddling with them while they do it

—Theodore Roosevelt

S

peaking to an audience of 150 mid-level associates at the City Bar’s Professional Development Breakfast Workshop, "Attaining Excellence in Management: Supervision, Delegation and Feedback," on January 25, Dr. Saletta Boni, of Leadership Consulting Associates, said that learning how to manage effectively is essential to moving ahead in your career.

As a midlevel associate, said Boni, your responsibilities have expanded and you neither can nor should handle everything yourself. In order to be successful you need to free up time to develop client relationships. You can no longer be spending all your time behind your desk drafting memos, making delegating critical. In addition, as a mid-level associate, you need to start developing relationships with professional and support staff to develop colleagues that like to work with and for you. To accomplish this you need to provide appropriate feedback to those to whom you delegate.

Begin With a Plan

At the start of her remarks Boni acknowledged that the art of effective delegation and managing a team is a difficult task and can be especially challenging to lawyers new to management leadership roles. Some of the top reasons delegating can be so tough is that there is a tendency for people to feel that no one can do it faster or better than they can or they view delegation as giving up control. If that weren’t enough, there are all sorts of emotional challenges of delegation, including delegating to someone older, delegating to friends, experiencing hostility, and delegating to someone of a different gender, ethnic group or religion.

According to Boni, effective delegation begins with a plan. As the supervisor you must first think through the project. The best way to do this is to make a checklist; for example, what has to be done, what resources are available, to whom are you going to delegate, and what is the time frame of the project. Thinking this through ahead of time will save you time in the long run.

As you begin to delegate, think about what was important to you when you were on the other side. For example, notes Boni, let people know about the whole matter, not just about the narrow task you are asking them to do. Giving those that work for you the context of project makes them feel connected, provides motivation, and shows them respect.

When you begin to hand out assignments, make sure that you make them specific and clear. Remember to set timeframes and establish clear deadlines. It is important, reminds Boni, when you delegate to be sure you have communicated effectively with those you supervise. Once you are done explaining assignments, invite questions and make sure to check that everyone understands their assignment.

Feedback is Important

Many attorneys who recognize the value of delegating see it only as the handing out of assignments. Being a supervisor, says Boni, also requires providing feedback on a regular basis. As Boni points out, saying “thank you” or “good job” is nice, but it isn’t enough. You need to take the time to coach junior associates. This is the best way to develop their skills, making their work product better, which will ultimately make your task of delegating easier in the future.

In order to be effective, feedback must be accurate, honest, timely and, most important, content-rich. Content-rich feedback, notes Boni, can either be reinforcing or redirecting; either way the purpose is to teach and motivate those who work for you and get greater performance, effort, and dedication in return.

Content-rich feedback is constructive feedback. There are four steps in providing constructive feedback, says Boni. First, set the stage by establishing clear performance expectations. Second, be respectful of differences. Diversity of backgrounds and experiences must be understood in order to match your message to the receiver’s style. For example, notes Boni, in some cultures eye contact is crucial while in others it is considered rude. Third, use clear and specific language to describe what should be done to improve the result. Stated simply, says Boni, tell them what they did, what they should have done and how they could have done it differently. Fourth, remember to listen. Never assume you have been clear, warns Boni.

Mastering these skills takes time. But, advises Boni, the more you use these skills and techniques the easier they become and the payoff will be improved professional development.

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

BEST PRACTICES FOR THE HIRING, TRAINING, RETENTION AND ADVANCEMENT OF WOMEN ATTORNEYS

The Symposium on Best Practices for the Hiring, Training, Retention and Advancement of Women Attorneys held on February 7, 2006, featured three panels of distinguished attorneys and professionals sharing practical recommendations with an audience of more than 300 attendees.

The initiative was launched after re-examining “Glass Ceilings and Open Doors,” a report published in 1992 by the Committee on Women in the Profession, which found that women were largely underrepresented in the higher ranks of the legal profession. Over one decade later, the discrepancy persists between the proportion of women entering the profession with their representation at the partner and general counsel levels. The Committee set out to assess why progress has been so slow and to develop practical suggestions for law firms and legal departments wanting to improve their retention and advancement rates of women.

The committee developed, "Best Practices for the Hiring, Training, Retention and Advancement of Women Attorneys," a set of 10 standards accompanied by practical ideas for achieving these goals.

1. Senior Management Commitment: Demonstrated commitment by General Counsel/CEO or managing partner/department head to promoting and advancing women (“Tone at the Top”).
2. Organizational Accountability: Creation of a system that monitors and rewards or penalizes partners/managers for the extent of their implementation of the Best Practices.
3. Representative Leadership: Significant presence of women in visible leadership positions within the organization and on litigation or transactional matters.
4. Proportionate Representation: Employment and retention of a proportionate number of women across all levels, including at entry, mid-, and senior levels and in practice areas and departments as well as providing re-entry opportunities.
5. Career Advancement: Transparency regarding the criteria required for and timing of promotion and effective feedback on career advancement.
6. Workplace Flexibility: Availability of flexible, reduced hours, and telecommuting arrangements that are not a bar to hiring, development, and partnership or promotion.
7. Family Care: Provision of and encouragement to use paid family care leave and resources for family care assistance.
8. Mentoring Culture: Fostering a mentoring culture, including developing and implementing an effective and tailored internal mentoring program and encouraging and promoting outside mentoring opportunities.
9. Developmental Training: Training in areas that promote advancement, including business development, networking, and how to become a leader.
10. Diversity Awareness: Mandatory ongoing education on gender issues, including discrimination, sexual harassment, stereotyping, and the interplay between gender stereotypes and performance perceptions.

The full report is online at http://www.nycbar.org/pdf/report/BestPractices4WomenAttorneys.pdf. For more information about best practices for women attorneys, please contact Carrie Cohen, the Committee Chair, at carrie.cohen@oag.state.ny.us.

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www.nycbar.org
Manuel Frye didn’t use his sabbatical to get away from the practice of law or even leave Shearman. Instead he took advantage of Shearman’s three-month option to go to a non-home office; in his case, the destination was London. Andrew Yeung also went abroad through Shearman’s sabbatical program. He wanted to experience things from the client’s perspective, and returned to his native Canada to work for the Bank of Nova Scotia.

While not changing their areas of practice, both Manuel and Andrew were able to experience a different culture and get a break from the routine, all while making important work connections. “Being able to meet face to face with many of my colleagues that I had worked with via phone and email helped me cement relationships that would enhance my future work,” said Manuel. But he was sure to add that sabbaticals are definitely not all work and no play. “I would have been crazy not to have spent some weekend time traveling with my wife to cities like Paris, making the sabbatical both professionally and personally rewarding.”

Other firms offer a sabbatical as a way to take a break from the practice of law altogether. Arnold & Porter allows partners to take three to nine months after seven years of service to use as they please. William Vodra spent two months with his wife visiting battlefield sites of the Civil and Plains Indians Wars in the Great Plains, discovering facts about his ancestors’ history and even walking part of the Oregon Trail. “It wasn’t the same as a vacation, where you simply visit tourists spots on a rigid program. This involved going to old grave yards and researching archives at county clerk’s offices across Nebraska and Iowa, which made the historical spots come to life. Finding hidden sites and museums and adjusting our destinations as we went along was a complete departure from the over-scheduled life of an attorney. None of that would be possible on a typical two-week vacation.” But history wasn’t the only thing Bill learned on this trip. “By the end of the trip both my wife and I were able to answer two key questions that ultimately face every long-married couple: Could we find something to do with ourselves if we stopped working? And more importantly, could we stand to spend time with each other 24/7? The answer to both questions — for us — turned out to be an absolute yes.”

Debevoise & Plimpton’s sabbatical program, which has been established for decades, allows partners who have been with the firm for at least nine years to take off four paid months with the option of two additional months unpaid. Whether it is writing and publishing or apprenticing for a Greek carpenter, Debevoise’s sabbatical allows partners to pursue an unfulfilled life’s passion. Former Association President Barbara Paul Robinson took advantage of this opportunity to further develop her long held passion for gardening by spending two months in England working and learning with the world’s top female gardeners. She spent the remaining four months touring Asia with her husband.

Barbara successfully made the transformation from partner at a major New York law firm to gardening apprentice living in a quaint but rustic cottage with no heat. Working side-by-side with laborers with little education liberated her from any social expectations or pressure. “I learned how satisfying life can be with few material goods. And the benefits lasted long after the trip was over. Not only did I develop a life-long friendship with Rosemary Verey, one of Britain’s best known gardeners, but I gained a perspective and distance that led to a greater willingness to speak my mind.”

Sometimes the sabbatical goals are less lofty. Not craving a great expedition or life-altering experience, some lawyers simply want to spend time with family and long forgotten interests without juggling competing work responsibilities. Emily DiStefano of Cadwalader, Wickersham & Taft, used her month sabbatical to pursue her love of travel while spending quality time with her husband as they embarked on a two-and-a-half week trip to Spain. The remaining time was spent at home planning her father’s sixtieth birthday party. For those outside the legal profession, a two-week vacation might not seem like a miracle. But as for most lawyers, work realities made lengthy vacations impractical. Emily’s husband, with much more flexible hours, was understanding, but noticed that the long work days were beginning to take a toll on her usually bubbly personality. The sabbatical offered Emily an ideal opportunity to get things back on track, and she came back to work feeling better about both her job and her relationship.

Believe it or not, many associates choose not to take advantage of sabbatical offers. Patricia Ellis, director of associate development and recruitment at Cadwalader, says that while the firm encourages associates to take this time off, many associates feel it is too difficult to extract themselves from work and would prefer to be paid a cash substitute. But according to Emily, “I would encourage all of my colleagues to take the firm up on this opportunity. Quality time with a loved one can’t be measured in cash.” And when sabbatical takers return they find that their questions and fears of harming client relationships or losing ground in their career proved unfounded. Now they simply wonder when they can take another.

Former Association President Barbara Paul Robinson (right) with Rosemary Verey, one of Britain’s most famous gardeners.
A BALANCE IS NEEDED IN CIVIL CONFINEMENT
By Bettina B. Plevan

It seems like every day we turn on the television to hear of another child or young adult being abused, raped or murdered. We are outraged. And we should be.

The rape or abuse of a child is incomprehensible, and it is the responsibility of all of us to do what we can to prevent it. But a knee-jerk overreaction, particularly in the form of legislation rushed through in the height of emotion, can sometimes do more harm than good.

The state Senate recently passed a bill that provides for the civil confinement of convicted sex offenders after their prison term has expired (S 6325). The additional confinement applies to offenders who are deemed to have a mental abnormality that predisposes them to committing sexual offenses which they can’t control.

On the surface, it sounds like a good idea. Why let people out into society who we expect will offend again?

But this legislation, rushed through without a careful legal analysis, provides more questions than answers. For example, who is to decide whether a person has such a mental abnormality? The Senate bill provides for a panel of "experts," but makes no professional or experiential requirements of such experts. And a panel of prosecutors and the attorney general are allowed to override the experts’ decision. Do law enforcement officials have a better idea of who has a mental abnormality than mental health professionals?

The bill also makes no mention of in-prison treatment. Yet treatment is one of the best ways of avoiding, through early intervention, unnecessary post-sentence restrictions on liberty as well as unnecessary expenditure of money for confinement.

And who will have the responsibility of housing and caring for these offenders? Our state's Office of Mental Health is already overwhelmed and under-resourced in caring for those with true mental disabilities, most of whom are nonviolent.

Notably the legislation’s range is broad enough to encompass those convicted of statutory rape, including a 22-year-old who had consensual sex with a 16-year-old.

The state Assembly has introduced its own civil commitment bill (A 9282). While far from perfect, the Assembly bill represents in many ways a more careful effort to balance the need for civil commitment of dangerous sex offenders who suffer from mental illness with constitutional safeguards and appropriate treatment for such offenders.

The Assembly bill includes in-prison treatment and representation by counsel early in proceedings, and requires that strict professional credentials and screening tools be used when making a determination of whether to prolong confinement.

The New York City Bar Association agrees that we must keep the most dangerous predators locked away, as the safety of our children is paramount. But politicians who legislate only with the sensational TV news stories in mind will err in locking away individuals with no mental illness or propensity for violence.

The New York Times
Panel Asks New York to Join the Era of No-Fault Divorce

A commission appointed to look into New York State’s matrimonial laws called on Monday for an overhaul of divorce and child custody rules, including the authorization of no-fault divorces, which would put New York in line with all the other states.

By not allowing couples to end their marriages by mutual consent, New York has kept some of the strictest barriers to divorce in the nation. Currently, one party in the divorce must allege cruel and inhuman treatment, adultery, or abandonment – literal or sexual – for a year …

… Alton L. Abramowitz, a divorce lawyer who presides over the New York City Bar Association’s matrimonial law committee, said, "To my mind, after no-fault, the most important recommendation is that people be afforded representation. The vast majority of divorces in New York State involve families earning under $60,000 a year, and they can’t afford an attorney." – 2/7/06

Newsday
Call for Merit System to Select State Judges

The leader of a major lawyers group yesterday called for a system of merit selection in picking State Supreme Court judges in the wake of a federal court ruling last week which scrapped the way the jurists are elected.

Bettina Plevan, president of the New York City Bar Association, said in a prepared statement that Friday’s ruling by Brooklyn federal Judge John Gleeson was an "excellent” chance to reform judicial selection.

But she said that Gleeson’s ruling requiring judicial candidates to run in primary elections had serious problems.

"Forcing all Supreme Court candidates into an election where they must raise funds from lawyers who would appear before them and address issues likely to come before them if elected, all while still needing to curry favor with political leaders, is not the long- term solution,” said Plevan. – 1/31/06

The New York Sun
NYPD, Albany Focusing on Human Trafficking Issue

"Here in New York City, we have documented cases of people trafficked into debt bondage, restaurant labor, begging, street peddling, and domestic workers,” the director of the Immigrant Women and Children Project of the New York City Bar Association, Suzanne Tomatore, said. While she said most of the cases she sees are domestic workers, with many trafficked by United Nations or consular officials, there is no single type of victim, as "human trafficking is a series of human rights violations and may not always be obvious or clear.” – 2/3/06
THE ASSOCIATION TESTIFIES AT ALL LEVELS OF GOVERNMENT

Every year, all levels of government ask for the expertise of the City Bar Association’s over 160 committees and request our testimony at hearings. Our committees have represented the Association at the City Council and the State Legislature, and are often influential in determining the course of new legislation. Here are some of the highlights from the past year:

City Council: Voting Rights Restoration Act

In November, the Association testified before the City Council in favor of a bill that would allow foreign-born, non-citizens to vote in municipal elections. Arguing that immigrants have a vital stake in the government of New York City, the Association backed the Voting Rights Restoration Act.

The Immigration and Nationality Law Committee authored the testimony. “We know that many of these individuals are long-term residents of the city who participate in a variety of civic activities...All have a stake in the governance of the city in which they reside,” the testimony reads.

The Association also urged the City Council to address the risks foreign-born New Yorkers could face if they vote in municipal elections. Under current federal law, voting illegally can cause an immigrant to lose eligibility to become a citizen, or even face deportation. It is easy to imagine the possibility that a municipal voter will mistakenly cast a vote in federal or state-level elections, thus the Association argued that there must be adequate safeguards to prevent this possibility. The testimony states that warnings against illegal voting be present not only in English but also in the principal foreign languages spoken by New York’s immigrant population.

The testimony also applauded the confidentiality provisions in this bill. There could have been a clear threat to the privacy regarding individuals’ immigration status during the registration and voting process, but this bill clearly provides adequate safeguards.

State Legislature Testimony From Consumer Affairs

In November, the Consumer Affairs committee submitted testimony to the State Legislature in an attempt to help combat identity theft, through the mechanism of a security freeze.

New Yorkers per capita are the 7th most likely to be the victims of identity thefts, and incidences of the crime have continued to escalate nationwide. Despite broad-ranging attempts to combat it, from legislatures and consumer groups alike, identity theft remains a serious and growing problem.

Often, thieves use an identity to obtain false credit, quickly driving down the victim’s credit rating. Pending legislation would allow consumers to put a freeze on credit reporting agencies, preventing them from releasing personal credit information and effectively stymieing an attempt to abuse the account. Several different versions of this bill exist in the legislature.

The Association supports a bill that would allow consumers to freeze their credit reports at any time. Other bills would require a consumer to already suspect that he or she is the victim of identity theft before a freeze would go into effect. The Association questions whether the after-the-fact model would be effective: “By the time a consumer learns that his or her identity has been stolen, the damage has been done. Even under current federal law the victim can file a fraud report and begin the process of reconstructing his or her financial profile.” Therefore, the Association testified that there is a need for consumers to be able to apply a security freeze to their credit at any time.

The ability to preemptively freeze credit information could be a boon to many consumers. Anyone “who does not often apply for credit, does not expect to apply for credit in the near future, and is not interested in obtaining point-of-purchase credit,” would greatly benefit, the Association’s testimony argued. Particularly, first-strike credit freezes could be an ideal option for the elderly, who are often less aware of the threat of identity theft and are especially at risk.

Finally, the Association’s testimony offered proposals that would expedite the process of implementing a credit freeze beyond the range of current bills. Proposed legislation has required certified mail and gives the agencies five days to implement the freeze. The Association testified that secure Internet and telephone options should be available, along with an expedited schedule.

End of Life Issues

The Health Law Committee submitted testimony in January, generally backing the provisions of a bill that establishes the rights of close friends and family to make health care decisions for an incapacitated patient.

As it stands now, families wishing to stop life-support treatment must prove by clear and convincing evidence that this would be the wish of the patient. When this unreasonable burden of proof is unreachable, this authority is left to the doctor. Decisions about health care made when a patient is incapacitated therefore fall to physicians instead of friends and family. Polling has revealed only 17% stated that they trusted their physicians more than all others to make these kinds of decisions for them.

Under the proposed bill, the standard for honoring family’s requests is changed. Instead of ‘clear and convincing evidence,’ a surrogate is given the necessary authority; with several important safeguards to guarantee the patient’s own rights. To determine incapacitation, a second health care professional must concur with the attending physician; and a further two physicians need to approve before life support is withdrawn.

Additionally, the Committee supports this bill because of the legal protections it extends to hospitals where these decisions are being made. Many doctors are wary of withdrawing life-sustaining treatment due to legal vulnerabilities; this Act would protect doctors who act in accordance with the wishes of the family.

Finally, the committee praises the bill for including hydration and nutrition within the grounds of medical treatment, particularly relevant in the light of recent high profile cases.

New York’s system is an exception to the generally more humane laws across the country. The Family Health Care Decisions Act helps establish a system sensitive to the reality in which these kinds of decisions are made. It offers a patient-centered solution and will reduce stress in an already awful time for families.

Government Ethics Committee Testifies on Lobbying and Political Consulting

Should political consultants who work for public servants’ campaigns be able to lobby those public servants at the same time? If not, who should be considered a “political consultant,” everyone who works on a political campaign or just professional political consultants? These are some of the questions that the Association’s Committee on Government Ethics addressed at a February 3rd hearing before the New York City Conflicts of Interest Board. In its testimony, the committee discussed the public mistrust that results when campaign consultants, who represent a private client, lobby a legislator whom they helped elect. But the committee also recognized that regulators must tread carefully in this area because both campaign activities and lobbying are protected by the First Amendment.

The committee applauded the board for focusing attention on this issue and offered its assistance as the board considers whether, and how to regulate in this area.

The full text of all testimony is on the Association’s website, www.nycbar.org.
Domestic Partner coverage now available
Health Savings Accounts
High Deductible Health Plans
Small groups and Sole Proprietors

Members have new opportunities to apply for coverage as well as access to tax advantaged Health Savings Accounts.

- **Domestic partner coverage** is now available for the first time to member groups that wish to add this new benefit. Members and employees wishing to add domestic partners must provide a copy of the City of New York’s Affidavit of Domestic Partnership at the time of application to the medical plan.

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In 2006 you may contribute the lesser of your high deductible or $2,700 for individual coverage and $5,450 for Family coverage. If you are between the ages of 55 – 64, you may add an additional $700 to these amounts as a catch-up contribution. Tax deductions are pro-rated over the calendar year depending upon the number of months your HDHP is in effect.

- **Sole proprietors**: Members who are sole proprietors have access to the same benefit plans as members practicing in small groups, including the qualified high deductible health plans. While premiums are higher for sole proprietors, the differential in premium is much smaller than you are used to seeing.

For more information on the above, please call Marsh Affinity Group Services, the City Bar’s sponsored insurance program administrator, at 888-88-ABCNY. Or e-mail them at ABCNY.Insurance@marsh.com to request a brochure, rates and an application.

* Please Note: Marsh and the Association do not render tax or legal advice. You should consult your advisors regarding applicable tax or legal considerations.

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- Contributions may be made by an individual, an employer or both
- Amounts in an HSA belong to the individual and are fully portable
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- Distributions are not taxed if used for qualifying medical expenses

For more details on high deductible health plans, call Marsh Affinity Group Services at 888-88-ABCNY (888-882-2269) or e-mail ABCNY.Insurance@marsh.com. For more information on HSAs, visit www.MarshAffinity.com.

(*4% in 2005 through Exante Bank.)
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<td>6-9 p.m. HOW THE NEW DEFICIT REDUCTION ACT OF 2005 WILL CHANGE THE PRACTICE OF ELDER LAW &amp; OTHER HOT TOPICS: DAY 2 3 credits*</td>
<td>9-5 p.m. EFFECTIVE LEGAL NEGOTIATION &amp; SETTLEMENT: BARGAINING FOR BETTER RESULTS 7½ credits*</td>
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<td>6-9 p.m. HOUSING IN CYBERSPACE: LANDLORD/TENANT LITIGATION &amp; ELECTRONIC TECHNOLOGY 3 credits*</td>
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<td>17</td>
<td>9-12 p.m. Video Replay: ETHICS FOR THE INTELLECTUAL PROPERTY PRACTITIONER 3 credits</td>
<td>9-1 p.m. (including lunch) WOMEN &amp; RAINMAKING: TRIED &amp; TRUE METHODS FOR SUCCESS 3 credits*</td>
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<td>24</td>
<td>9-1 p.m. A PRACTICAL GUIDE TO LLCs &amp; LLPs 4½ credits*</td>
<td>6-9 p.m. TRAILS OF TORT CASES: VIEWS FROM THE BENCH 3 credits*</td>
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<td>25</td>
<td>6-9 p.m. PREVENTING EMPLOYMENT DISCRIMINATION THROUGH NEGOTIATION 3 credits*</td>
<td>9-12 p.m. YOU DON'T PRACTICE CRIMINAL LAW? SO, WHAT DO YOU DO IF A CLIENT CALLS YOU IN THE MIDDLE OF THE NIGHT ABOUT A CRIMINAL MATTER? 3 credits*</td>
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<td>26</td>
<td>9-5/15 p.m. TALK YOUR WAY TO THE TOP OF THE PROFESSION! PUBLIC SPEAKING FOR LAWYERS 8 credits*</td>
<td>6-9 p.m. HOUSING IN CYBERSPACE: LANDLORD/TENANT LITIGATION &amp; ELECTRONIC TECHNOLOGY 3 credits*</td>
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<td>27</td>
<td>9-1 p.m. CURRENT ISSUES IN INSURANCE REGULATION 2006 3½ credits</td>
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*This program provides transitional credit for newly admitted attorneys.
ADR/ARBITRATION/MEDIATION/NEGOTIATION

EFFECTIVE LEGAL NEGOTIATION & SETTLEMENT: BARGAINING FOR BETTER RESULTS

6 Thursday, 9-5 p.m.

Research has shown that confident negotiators achieve more favorable settlements than their less certain cohorts. This program will enhance your confidence as a negotiator by improving your ability to recognize various negotiating tactics and respond effectively to them for better results at the bargaining table.

The practice of law involves the daily exercise of negotiation — from lawsuit settlements and contractual undertakings to relationships with clients and fellow associates and partners within a firm. Yet, negotiation has less to do with traditional legal doctrines than the psychological and sociological principles that govern other social relationships. Lawyers who simply use a conventional legal framework to guide negotiations often ignore the application of other critical factors to the bargaining process and reduce their effectiveness.

A must for both new and seasoned attorneys, this no-nonsense program takes a practical approach to examining the negotiation process and related issues. Attendees engage in interactive exercises to expand their understanding of the negotiation process and improve their skills. The last hour features a discussion of the ethical considerations of "strategic misrepresentation" and disclosure. Time is reserved at the end of the morning and afternoon sessions to answer your questions.

Instructor:
CHARLES B. CRAVER
Leroy S. Merrifield Research Professor of Law
George Washington University Law School

Co-sponsored with ALI-ABA

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

CORPORATE & SECURITIES

7th ANNUAL CORPORATE & SECURITIES LAW UPDATE: KEEPING CURRENT WITH THE EXTENSIVE LEGAL & BUSINESS DEVELOPMENTS

7 Friday, 9-5 p.m.

This annual updates program, designed for experienced attorneys, will examine recent extensive regulatory and marketplace developments. A renowned faculty of corporate and securities lawyers from outside firms, in-house counsel, SEC staff and financial services companies will discuss practical ways to comply with the extensive new regulations in the securities, corporate and mergers and acquisitions areas. The program will include helpful SEC and other regulatory interpretive guidance. Other topics will include the latest developments in:

- Securities Act reform, including practical guidance on
  - Electronic road shows
  - Electronic delivery of prospectuses and confirmations
  - Liability and indemnifications
  - Opinions and 106-5 statements
  - Other developments
- Internal controls and SOX 404
- Comfort letter and accounting due diligence issues
- Enforcement initiatives against corporate clients and officers
- How to protect and advise clients in the changed regulatory environment
- What types of deals can and are getting done in this market
- How to comply with the new attorney reporting and liability rules
- And much more

CLE Credit:
7 1/2 credits total: 6 1/2 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.

Registration is limited.

Program Chair:
N. ADELE HOGAN
Linklaters

Faculty:
DENNIS J. BLOCK
Cadwalader, Wickersham & Taft LLP

ROBERT E. BUCKHOlz, JR.
Sullivan & Cromwell LLP

MICHAEL L. CROWL
Managing Director and General Counsel-
Investment Banking Division
Goldman, Sachs & Co.

JILL E. Darrow
Katten Muchin Zavis Rosenman LLP

KIRK A. Davenport
Latham & Watkins LLP

MELANIE F. Dolan
KPMG LLP

SANDRA L. FLOW
Cleary, Gottlieb, Steen & Hamilton LLP

MATTHEW J. MALLOW
Skadden, Arps, Slate, Meagher & Flom LLP

JOHN MARZULLI, JR.
Shearman & Sterling, LLP

ADAM R. MESHEL
Head of Legal for Capital Markets
Citigroup Corporate and Investment Banking

PETER C. MESTER
Corporate Counsel and Assistant Corporate Secretary
E.I. DuPont de Nemours and Company

STUART MOSKOWITZ
Senior Counsel
International Business Machines Corporation

KEVIN J. P. O’HARA
Executive Vice President & Co-General Counsel
NYSE Group, Inc.
A PRACTICAL GUIDE TO LLCs & LLPs

24 Monday, 9-1 p.m.

An expert panel will present a practical guide to the use of LLCs and LLPs. The panel will provide concrete advice on critical formation and early-stage issues, such as the advantages and disadvantages of the LLC/LLP form, a comparison of LLCs and LLPs to corporations, the tax benefits of the LLC/LLP form and the choice of state law. As part of the choice-of-entity discussion, the panel will discuss specific businesses, fact patterns and exit strategies that may dictate the choice-of-entity decision. The panel will describe the mechanics of forming an LLC/LLP and the content of the principal agreements incidental to such formation, including the basic operating agreement. Various management structures and control arrangements of LLCs and LLPs will be examined and considered from different perspectives and in different strategic and investment scenarios. The use of LLPs for law and other professional practices will be discussed, including current issues and events potentially testing their effectiveness with respect to liability. Securities issues will be considered in the context of the formation and growth of an LLC or an LLP. The panel also will examine various executive and other compensation structures in the context of an LLC, including in particular the use of equity-based incentive compensation arrangements and a comparison to traditional corporate stock option plans.

Program Chair:
GARY J. SIMON
Hughes Hubbard & Reed LLP

Faculty:
CHRISTOPHER S. AUGUSTE
Kramer Levin Naftalis & Frankel LLP

ELLEN S. FRIEDENBERG
Hughes Hubbard & Reed LLP

MARK A. LIMARDO
Katten Muchin Rosenman LLP

Live Program:
Member $335, Non-member $475

CLE credit:
41⁄2 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys. Portions of this program qualify for CPE credit.

CRIMINAL

ABCs OF FEDERAL CRIMINAL PRACTICE: A PRACTICE PRIMER

3 & 10 Mondays, 6-9 p.m.

This program will provide essential information and practical advice from expert faculty members, including federal judges, prosecutors and defense lawyers, to assist practitioners in effectively representing clients facing federal criminal investigation/prosecution. Recent legislation and Supreme Court decisions have dramatically changed the landscape of federal criminal law and this program will highlight these important changes and how they are affecting criminal practice in the Southern and Eastern Districts of New York.

The topics covered over the two-day program will include pre-indictment and investigative issues; the federal grand jury process; arrest and bail procedures; federal discovery strategies; theories and scope of pre-trial motions; ethical considerations and trial practice strategies; and an expanded forum on the Sentencing Guidelines in light of the Supreme Court’s Booker/Fanfan decision.

Program Chair:
RONALD G. RUSSO
Herzfeld & Rubin, LLC

Moderators:
HON. GEORGE DANIELS
United States District Judge
Southern District of New York

HON. NICHOLAS G. GARAUFIS
United States District Judge
Eastern District of New York

Faculty:
MARK M. BAKER
Of Counsel
Brafman & Associates

DEBORAH A. COLSON
Assistant Federal Defender
Federal Defenders of New York, Inc.

LINDA FOWLE
Supervising U.S. Probation Officer
Eastern District of New York
U.S. Probation Department

GUSTAVE H. NEWMAN
Newman & Greenberg

MARJORIE J. PEERCE
Stillman & Friedman, P.C.

BRIDGET M. ROHDE
Chief, Criminal Division
Eastern District of New York

LEE S. RICHARDS, III
Richards Spears Kibbe & Orbe, LLP

MICHAEL A. ROGOFF
Kaye Scholer LLP

CATHY SEIBEL
Deputy United States Attorney
Southern District of New York

ANDREW TOMBACK
Milbank, Tweed, Hadley, & McCloy LLP

Live Program:
Member $375, Non-member $515

CLE credit:
6 credits total: 3 Skills, 21⁄2 Professional Practice/Practice Management & 1⁄2 Ethics. This program provides transitional credit for newly admitted attorneys.
Plaintiffs repeatedly indicate that it is “how the situation was handled [or communicated] by supervisors and the organization” that fueled their anger and provided the energy for them to exercise their right to sue for employment discrimination. Courageous conversation raises the bar on preventing discrimination by modeling the neutral language skills, borrowed from mediation technique, that enable supervisors and employees to collaboratively negotiate, utilize and comply with company discrimination policy thereby reducing legal exposure, especially in the hiring, evaluating, and termination processes. Taught by an employment attorney who has spent years as a corporate frontline executive manager and a New York State court mediator, the program will address how a majority of discrimination legal disputes stem from poor communication and explain the techniques and strategies which can be used to prevent a lawsuit.

Program Instructor:
ELAINE S. ROSENBLUM
Founder & President
Courageous Conversation

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

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

INSURANCE
CURRENT ISSUES IN INSURANCE REGULATION 2006
28 Friday 9 – 1 p.m.

This interactive program features a renowned regional and national faculty, including state insurance commissioners and industry officials, who will explore topical issues of importance. The hot topics to be explored in this year’s edition of what has been an annual program for many years will include: finite reinsurance regulation, TRIA and national catastrophe insurance, the SMART Act and federal regulation, insolvency law, and flood v. wind damage coverage issues. A Regulators’ Roundtable will address key issues facing insurers, regulators and consumers.

Program Co-Chairs:
ROGER M. MOAK
Certified Arbitrator and IFNY Chairman
FRANCINE L. SEMAYA
Cozen & O’Connor

Planning Committee:
DONNA L. LAMAGNA
Vice President
Marsh USA, Inc.
SUZANNE RHULEN LOUGHLIN
Frontier Insurance Group, LLC
Rock Hill, NY
WILLIAM D. LATZA
Stroock & Stroock & Lavan LLP
ALAN S. RACHLIN
Principal Attorney
Office of General Counsel
New York State Insurance Department

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NYSBA/Avis Worldwide Discount (AWD) # A522134.
**Faculty:**

**DEBRA T. BALLEN**  
Executive Vice President  
American Insurance Association  
Washington, D.C.

**THOMAS E. HAMPTON**  
Acting Commissioner  
Department of Insurance, Securities and Banking  
Washington, D.C.

**KEVIN HARRIS**  
General Counsel & Chief Operating Officer  
National Conference of Insurance Guaranty Funds  
Indianapolis, IL.

**DONNA L. LAMAGNA**  
Vice President  
Marsh USA, Inc.

**HON. MICHAEL T. MCRAITH**  
Director of Insurance  
State of Illinois  
Springfield, Illinois

**HON. HOWARD MILLS**  
New York State Superintendent of Insurance

**R. STEVEN ORR**  
Commissioner of Insurance  
Maryland Insurance Administration  
Baltimore, MD

**KEVIN RAMPE**  
Global Compliance and Business Ethics Officer  
ACE Group of Companies

**AUDREY SAMERS**  
Deputy Superintendent and General Counsel  
New York State Insurance Department

**DIANE STUTO**  
Executive Vice President  
Life Insurance Council of New York

**JEFFREY E. THOMAS**  
Vice Provost for Faculty Affairs  
Associate Dean and Professor of Law  
University of Missouri – Kansas City School of Law  
Kansas City, Missouri

**ROBERT J. VITERETTI**  
Global Chief Compliance Officer  
Marsh Inc.

**ROBIN WILLCOX**  
Senior Vice President, General Counsel and Secretary  
American Re-Insurance Company  
Princeton, New Jersey

Co-sponsored by: ABA Tort Trial and Insurance Practice Section’s Insurance Regulation Committee and The Insurance Federation of New York, Inc. (IFNY).

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

*NYC Bar & Co-sponsoring Members.

**CLE credit:**  
3½ credits total: credit breakdown to be determined. This program does not provide transitional credit for newly admitted attorneys.

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**LAW FIRM PRACTICE MANAGEMENT**

**WATCH OUT! A GUIDE TO ETHICAL PRACTICES IN START-UPS & SMALLER FIRMS**

5 Wednesday, 6-9 p.m.

Starting and maintaining a law practice is challenging but incredibly rewarding. Practitioners in smaller firms often have to be an attorney, office manager, accountant, and payroll clerk simultaneously.

This course will examine everyday issues in ethics and professionalism and offer practical solutions to start-up and small firm practitioners. Using hypothetical situations as the basis for discussion, the speakers, who are the former First Chief Counsel and Deputy Chief Counsel to the Departmental Disciplinary Committee and current practitioners in the field of professional ethics, will review the Code of Professional Responsibility, federal and state court decisions and bar association opinions to offer insights as to how to handle various ethical situations. Among the topics to be discussed are: procedural aspects of the disciplinary system; withdrawal from a case; conflicts of interest; letters of engagement and retainers; escrow accounts and record keeping; responsibilities of partners, associates and affiliated lawyers (e.g., of counsel) in small firms; and the avoidance of disciplinary complaints and legal malpractice actions.

**Program Chair:**  
**PATRICK J. BOYD**  
The Boyd Law Group, PLLC

**Faculty:**  
**MICHAEL S. ROSS**  
Law Offices of Michael S. Ross

**DEBORAH A. SCALISE**  
Jones Sledzik Garneau & Nardone LLP

**J. RICHARD SUPPLE**  
Hinshaw & Culbertson LLP

**CLE Credit:**  
3 credits in ethics. This video replay does not provide transitional credit for newly admitted attorneys.

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**Video Replay:**  
Member $225, Non Member $335

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**INTELLECTUAL PROPERTY**

**Video Replay: ETHICS FOR THE INTELLECTUAL PROPERTY PRACTITIONER**

17 Monday, 9-12 p.m.

This program will cover the whole range of ethical problems that an intellectual property practitioner may encounter. The program will cover litigation problems, non-litigation problems and the particular problems of the in-house practitioner.

**Program Chair:**  
**DAVID RABINOWITZ**  
Moses & Singer LLP

**Faculty:**  
**LISA E. DAVIS**  
Frankfurter Garbus Kurnit Klein & Selz, P.C.

**ANDREW J. GERBER**  
Former General Counsel  
The Columbia House Company

**J. RICHARD SUPPLE**  
Hinshaw & Culbertson LLP

**CLE Credit:**  
3 credits in ethics. This video replay does not provide transitional credit for newly admitted attorneys.
**CLE credit:**
3 credits in ethics. This program provides transitional credit for newly admitted attorneys.

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**WOMEN AND RAINMAKING: TRIED AND TRUE METHODS FOR SUCCESS**

19 Wednesday, 9-1 p.m. (including lunch)

The program is designed to help women attorneys learn how to generate business and develop client relationships, focusing on topics such as (1) transitioning from associate to partner/rainmaker, (2) developing a marketing strategy, and (3) asking for the business.

An outstanding panel of distinguished attorneys - including women rainmakers with varied practices and in-house counsel from different industries -- will share their knowledge on and insight into how to cultivate, develop, and retain business, with a particular emphasis on issues that primarily affect women attorneys. The program will conclude with a networking lunch for all attendees and panelists.

Although the premise of the program is to guide and teach women rainmaking skills, men are encouraged to attend.

**Program Chair:**
**CARRIE H. COHEN**
Office of the New York State Attorney General, Public Integrity Unit

**Moderator:**
**SILVIA L. COULTER**
Managing Partner, CoulterConsulting Group

**Faculty:**
- **SHEILA L. BIRNBAUM**
  Skadden Arps Slate Meagher & Flom LLP
- **SUSAN BRUNE**
  Brune & Richard LLP
- **LILE H. DEINARD**
  Dorsey & Whitney LLP
- **AYALA DEUTSCH**
  Senior Vice President & Chief Intellectual Property Counsel
  NBA Properties, Inc.
- **SUSAN J. KOHLMANN**
  Pillsbury Winthrop Shaw Pittman LLP

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**BARBARA KOLSUN**
Senior Vice President & General Counsel
Seven For All Mankind LLC

**KATHLEEN A. LEO**
Senior Vice President & General Counsel
United Media, a Subsidiary of E.W. Scripps

**CARLA M. MILLER**
Counsel
Siemens Corporation

**LITIGATION**

**TRIALS OF TORT CASES: VIEWS FROM THE BENCH**

25 Tuesday, 6-9 p.m.

A panel of distinguished judges will discuss trials of tort cases and provide insight into their courtroom experiences. Topics will include: voir dire, opening statements, direct and cross-examinations, closing statements, and jury instructions. The panel will also offer practical advice to litigators handling these cases. Designed for the benefit of beginning, as well as more experienced practitioners, the program will provide useful information for both plaintiff and defense counsel. Highlights of the program will include discussions of significant issues the judges have encountered and rulings they have made while presiding over trials of tort cases.

**Program Chair:**
**JEROME I. KATZ**
Gair, Gair Conason Steigman & Mackauf

**Faculty:**
- **HON. LUCY BILLINGSS**
  New York State Supreme Court Justice
  New York County
- **HON. RICHARD F. BRAUN**
  New York State Supreme Court Justice
  New York County
- **HON. MARCY S. FRIEDMAN**
  New York State Supreme Court Justice
  New York County

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**KATHLEEN A. LEO**
Senior Vice President & General Counsel
United Media, a Subsidiary of E.W. Scripps

**CARLA M. MILLER**
Counsel
Siemens Corporation

**HON. MILTON A. TINGLING, JR.**
New York State Supreme Court Justice
New York County

**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.

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**YOU DON’T PRACTICE CRIMINAL LAW? SO, WHAT DO YOU DO IF A CLIENT CALLS YOU IN THE MIDDLE OF THE NIGHT ABOUT A CRIMINAL MATTER?**

26 Wednesday, 6-9 p.m.

If you haven’t thought about criminal law since you were required to take it in law school, what can you expect to encounter when a client calls you in the middle of the night about a criminal matter? What questions do you ask? How do you counsel your client? What should you do — or not do? This program is a must for any attorney unfamiliar with the practice of criminal law. Find out everything you need to do to preserve the rights of your client (whether dealing with a minor problem or a serious matter) from the first minute your telephone rings.

**Program Co-Chairs:**
**JOHN L. POLLOK**
Hoffman & Pollok LLP

**MICHAEL S. WASHOR**
Law Offices of Michael S. Washor, P.C.

**Faculty:**
- **HON. BRUCE ALLEN**
  NY State Supreme Court Justice
  New York County
- **STEVEN L. BROUNSTEIN**
  Papa, DaPolia and Brounstein
- **JOHN L. POLLOK**
Hoffman & Pollok LLP

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

PUBLIC SPEAKING

TALK YOUR WAY TO THE TOP OF THE PROFESSION! PUBLIC SPEAKING FOR LAWYERS

27 Thursday, 9 – 5 p.m.

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

Program Co-Instructors:
WHITNEY NORTH SEYMOUR, JR.
Solo Practitioner

CONRAD TEITELL
Cummings & Lockwood LLC

Co-Sponsored with ALI-ABA

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

CLE Credit:
8 credits in skills. This program provides transitional credit for newly admitted attorneys. This program is approved for MCLE credit in other MCLE jurisdictions. Credit breakdown

REAL ESTATE

HOUSING IN CYBERSPACE: LANDLORD-TENANT LITIGATION & ELECTRONIC TECHNOLOGY

27 Thursday, 6 – 9 p.m.

A distinguished panel of attorneys and a judge will explore the use of internet and electronic technology for research and investigative purposes in connection with Housing Court litigation. Discussions will cover evidentiary issues relating to introduction of web-based information at trial. Particular emphasis will include privacy and ethical issues which have come to light in the face of limitless access to personal data offered within the web. Those attending will receive an index of particularly useful websites along with a synopsis of their content.

Program Co-Chairs:
HON. TIMMIE E. ELSNER
New York City Civil Court Judge

MATTHEW S. BRETT
Belkin, Burden, Wenig & Goldman LLP

MIRIAM M. BREIER
Breier Deutschmeister Urban & Fromme, PC

Faculty:
SANTO GOLINO
Law Offices of Santo Golino

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

CLE credit:
3 credits total: 1½ Professional Practice/Practice Management, 1 Skills & ½ Ethics. This program provides transitional credit for newly admitted attorneys.

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 $25 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.

These programs are presented under the auspices of the CLE Committee, Burton N. Lipshie, 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.
### APRIL 2006 CLE REGISTRATION FORM

#### ABCs of Federal Criminal Practice: A Practice Primer
**April 3 & 10**
- **Live Program:** $375 / $515
- **Audiotapes:** $465 / $635
- **Videotapes:** $595 / $725
- **CDs:** $485 / $655
- **DVDs:** $645 / $795
- **Materials:** $155 / $235

#### Watch Out! A Guide to Ethical Practices in Start-ups & Smaller Firms
**April 5**
- **Live Program:** $195 / $305
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### Effective Legal Negotiation & Settlement: Bargaining for Better Results
**April 6**
- **Live Program:** $350 / $450
- **Audiotapes:** $465 / $635
- **Videotapes:** $595 / $725
- **CDs:** $485 / $655
- **DVDs:** $645 / $795
- **Materials:** $235 / $355

#### 7th Annual Corporate & Securities Law Update: Keeping Current with the Extensive Legal & Business Developments
**April 7**
- **Live Program:** $375 / $515
- **Audiotapes:** $465 / $635
- **Videotapes:** $595 / $725
- **CDs:** $485 / $655
- **DVDs:** $645 / $795
- **Materials:** $235 / $355

#### Video Replay: Ethics for the Intellectual Property Practitioner
**April 17**
- **Video Replay:** $225 / $335
- **Audiotapes:** $345 / $415
- **Videotapes:** $435 / $505
- **CDs:** $365 / $435
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### Women and Rainmaking: Tried and True Methods for Success
**April 19**
- **Live Program:** $225 / $335
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### A Practical Guide to LLCs & LLPs
**April 24**
- **Live Program:** $335 / $475
- **Audiotapes:** $425 / $595
- **CDs:** $445 / $615
- **DVDs:** $605 / $765
- **Videotapes:** $555 / $685

#### Trials of Tort Cases: Views from the Bench
**April 25**
- **Live Program:** $195 / $305
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### You Don't Practice Criminal Law? So, What Do You Do If a Client Calls You in the Middle of the Night About a Criminal Matter?
**April 26**
- **Live Program:** $195 / $305
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### Preventing Employment Discrimination Through Negotiation
**April 26**
- **Live Program:** $195 / $305
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535

#### Talk Your Way to the Top of the Profession: Public Speaking for Lawyers
**April 27**
- **Live Program:** $350 / $450

#### Housing in Cyberspace: Landlord-Tenant Litigation & Electronic Technology
**April 27**
- **Live Program:** $195 / $305
- **Audiotapes:** $315 / $385
- **Videotapes:** $405 / $475
- **CDs:** $335 / $405
- **DVDs:** $445 / $535
- **Materials:** $105 / $135

#### Current Issues in Insurance Regulation 2006
**April 28**
- **Member/Co-sponsoring Member:** $195 / $305

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**ALL REGISTRATIONS MUST BE PREPAID BY EITHER CREDIT CARD OR A CHECK MADE PAYABLE TO: CITY BAR CENTER FOR CLE OR NEW YORK CITY BAR**

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City State Zip

Phone Total Enclosed $ 

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INAUGURAL GALA
APRIL 4, 2006

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Co-chairing the event will be H. Rodgin Cohen of Sullivan & Cromwell, LLP, and Joan Guggenheimer of JPMorgan Chase & Co.

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