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Statement on Threats to Judicial Independence

The Association of the Bar of the City of New York expresses its strong opposition to criticism of members of the judiciary, and threats of retaliation, made recently by members of Congress and others with regard to the state and federal judges who heard proceedings in the Schiavo family litigation.

The Association also expresses its strong support for the dedicated members of the state and federal judiciary who agree upon taking office to administer justice fairly in the cases brought before them. The harsh criticisms by members of Congress profoundly threaten the independence of the judiciary and the rule of law that is essential to a free and democratic society. Such criticisms and threats from Congress also jeopardize the delicate balance of power among the branches of government that was established in our Constitution.

Whatever one’s views on the underlying social issues, there can be no doubt that it is the duty of judges to apply the applicable law to the facts in the particular cases before them. As members of the legal profession it is important, especially at this time, that we express our support for the judiciary and their proper discharge of their duties, and to encourage other members of the public to do the same, and that we speak out against the unfounded attacks on judicial independence.

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New York Taxis Shortchange Disabled Passengers

For those with a disability who rely on a wheelchair to get around, New York City is one of the most challenging cities in the world to find a taxicab. You would have a much better chance of keeping an important appointment if you lived in another town, like Chicago, San Francisco or Boston.

“New York City remains severely behind other cities around the country and throughout the world in providing taxicab service that is accessible to wheelchair users,” states a new report by the City Bar Association’s Committee on Legal Issues Affecting People with Disabilities (Loren Gesinsky, Chair). “While cities such as London (100%-accessible-taxicab fleet), Chicago, San Francisco and Boston all provide wheelchair-accessible taxicab service to its residents and visitors with disabilities, wheelchair users in New York City are left with virtually no chance of hailing an accessible taxi.”

There are currently tens of thousands of residents and visitors with physical disabilities who have virtually no access to a city taxicab that can accommodate them. On their behalf, the Association is urging the City Council to pass legislation that will eventually make New York’s taxi fleet accessible to persons with physical disabilities and easier to use for everyone else, including those transporting strollers or packages.

The Facts

Presently, only 30 out of 12,787 yellow taxicabs are accessible to the approximately 60,000 wheelchair users who reside in New York City. “In a city where success is measured in ‘New York minutes,’ this denial places wheelchair users at a severe disadvantage,” states the new report.
Last year, when the city approved the auctioning of new medallions for yellow city taxicabs, the City Council, in a tepid response to correct the situation, provided that 9 percent of the medallions auctioned be made available to taxicabs that are wheelchair accessible. But even if 9 percent of the 600 new medallions to be affected are set aside for accessible taxicabs, only 57 vehicles (less than 1% of the fleet) would then be available for some 60,000 disabled New Yorkers.

“The city should not permit the taxicab fleet to increase without providing access for the 60,000 wheelchair users who reside here,” asserted Bettina B. Plevan, President of the Association.

The Issues

Objections to providing wheelchair-accessible taxicab service have been raised primarily by taxicab-fleet owners. Their objections include: the cost of modifying a vehicle to permit wheelchair accessibility; the cost of insuring modified vehicles; and the durability of modified vehicles. The Association’s report addresses each of these issues in turn.

Cost. Presently, the Ford Crown Victoria is the most commonly purchased vehicle by taxicab fleet owners, at a cost of approximately $23,500 per cab. The Association cites studies that show that the cost of an accessible taxicab should not be more than $3,000 above a non-accessible vehicle — a cost that pales in comparison to medallion bids of around $350,000. Additionally, the accessible taxicabs would allow the city to reduce Access-A-Ride and ambulette service costs by providing an on-demand alternative.

Insurance. Taxicab owners have also insisted that their rates will increase significantly to insure wheelchair accessible vehicles and their drivers. However, according to a letter dated August 5, 2004, from the New York State Insurance Department, “insurance is no less available, and no more expensive for wheelchair accessible taxis, limousines, or black cars than for their non-accessible counterparts.”

Durability. And while the durability issue has not been definitively settled to take account of all the variables (such as vehicle manufacturer, road conditions, and weather conditions), existing evidence suggests that accessible vehicles are no less durable. For example, Cook Dupage Transportation of Chicago reported that the 110 accessible minivans in its fleet were kept on the road for four or more years and averaged about 220,000 miles before they were retired. Boston taxicab service regulators reported that converted accessible minivans lasted just as long, if not longer, than sedans. London has required every cab to be wheelchair accessible since 1989, and there have been no reports of significant breakdowns within their taxicab system.

Based on these findings, the Association has asked the City Council to pass legislation that will expeditiously phase in full taxicab accessibility for some 60,000 wheelchair-using New York City residents and visitors.

For a copy of the committee’s report, please visit the Association’s new website at www.abcn.org.
From March 3rd through 5th the Association was the site of a gathering of leading lawyers from Latin America, here to attend a conference organized by the Association’s Cyrus R. Vance Center for International Justice Initiatives. The Strategy Summit for the Americas: A Profession Supportive of Democracy, hosted by Association President Betsy Plevan, sought to address the role of the legal profession in support of democracy by focusing on areas in which the profession is uniquely situated to contribute to civil society.

The conference brought together 60 lawyers representing bar associations, private firms, law schools and legal non-government organizations (NGOs) from Argentina, Brazil, Chile, Colombia, Mexico and the United States, along with participants from Spain, South Africa and the World Bank.

The Summit was an outgrowth of activity that is taking place across the Americas to strengthen the commitment of the legal profession to promote democratic values and ideals. Previous pro bono conferences co-sponsored by the Association – which were held in Argentina, Chile and Brazil beginning in 2001 – had brought many of the recent summit participants together for the first time to discuss pro bono practices as a means of enhancing access to justice. It became apparent at these earlier conferences that pro bono could not be considered in isolation; pro bono is part of a strategy to improve access to justice for the poor.

Access to justice, however, is broader than simply having the services of a lawyer. It must also incorporate public confidence in the fairness, transparency and efficiency of the judicial system and the legal profession; in government policies that address societal needs; and in a developed public understanding of legal rights.

The Association’s summit held here in New York last March examined what is referred to as the “four pillars” of the legal profession that support the legal superstructure of democratic societies:

- Access to justice;
- Fair and equitable judicial system;
- Fair and equitable government policies; and
- Legal ethics.

During the 3-day working conference, participants exchanged ideas and experiences, and sought to develop a series of shared objectives to pursue over the next 18 months. Among the broader objectives guiding the work of the participants were:

- Identifying initiatives that could be adapted to specific countries and implemented locally;
- Learning from practices in other countries as to similar challenges;
- Focus on the “pro bono chain” – the mutually dependent relationship of bar associations, law firms, law schools and NGOs in providing legal services to the poor; and
- Identifying mechanisms for greater collaboration between bar associations in different jurisdictions.

Small working groups organized around the “four pillars”, which reported back to the full body on the last day, accomplished much of the substantive work and made recommendations on how to advance these. In addition to specific ideas to be pursued locally, two principal regional projects were identified and agreed to:

- Draft a “Pro Bono Declaration for the Americas”; and
- Research and publish a book identifying the laws, rules and practices that govern the ethics, professional responsibility and public service obligations of lawyers in a number of jurisdictions in the Americas, titled “Model Rules of Professional Responsibility in the Americas.”

Summit participants also agreed that Mexico will host the next regional conference on pro bono and access to justice programs, which will take place in late 2006, at which time the delegations from the various countries in the Americas will report back on their progress in implementing the objectives of the March 2005 summit.

“The Strategy Summit for the Americas was a watershed in terms of the degree of collaboration and willingness to partner and share ideas among lawyers throughout the Americas. Just as human rights lawyers of recent decades reached across borders to find support for their ideas, today, advocates for an expansive concept of access to justice are developing international networks to enhance their efforts,” stated Ms. Plevan.

The Vance Center for International Justice Initiatives is currently working on a report that will contain information about the historical developments leading up to the summit, objectives of the conference, day-by-day summaries of its discussions, and an Agenda for Action or work plan structured around the agreed-upon objectives. This report will soon be available on the Association’s Vance Center website, along with background papers and other conference materials.
ASSOCIATION IN THE NEWS

Getting the Word Out

**Newsday** called us “A powerful law organization” (April 28, 2004) in a story about the Association’s opposition to a New York State government plan to use $600 million in Liberty Bonds – earmarked for 9/11 reparations – to construct a new Astoria, Queens, power plant.

**Village Voice** syndicated columnist Nat Hentoff referred to us as “one of the nation’s most influential bar associations” (February 27, 2004) in his column about our opposition to the federal government’s policy of indefinitely detaining enemy combatants.

Whether praising the Association for its unbending effort to inform and protect the public, or simply citing the well-researched findings of our committee reports, the New York City press corps is recognizing our work. Hardly a day goes by when there is no mention in the local newspapers, wire services or Internet of our committees’ wonderful work in defense of such diverse topics as human rights, civil liberties, immigration rights, the rights of the disabled, and a less debilitating New York State divorce law.

Assembled here are quotes from recently published newspaper clips recognizing the work of the Association and giving credit where credit is due. We are very proud of the broad recognition given the Association in local, national and international media.

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**The New York Times**

Faced with complaints that Columbia University has tolerated anti-Semitism and intimidation in its Middle East studies classes, Columbia’s president said last night that academic freedom has some limits when it comes to the classroom and the broader educational experience.

“We should not elevate our autonomy as individual faculty members above every other value,” the president, Lee C. Bollinger, said in a speech to the Association of the Bar of the City of New York. “Professors, he said, have a responsibility ‘to resist the allure of certitude, the temptation to use the podium as an ideological platform, to indoctrinate a captive audience, to play favorites with the like-minded and silence the others.”

The New York Times
March 24, 2005

**The Village Voice**

On December 22, The Association of the Bar of the City of New York, whose reports on the administration’s abuses of civil liberties since 9/11 have been invaluable, wrote a letter to Alberto Gonzales before his Senate confirmation hearing on certain legal issues that arose during his tenure in that office … In its letter to Gonzales, New York’s bar association asked him to “address our serious concerns on the topic of so-called ‘extraordinary renditions.’” This term refers to numerous well-documented instances of U.S. involvement in extrajudicial transfers of terrorist suspects to countries where there is a serious risk that detainees will be subjected to torture or cruel, inhuman or degrading treatment … The practice of extraordinary rendition is a clear and unequivocal violation of international law, and is contrary to U.S. law and policy.

The Village Voice
January 21, 2005

The New York Times
March 29, 2005

**Newsday**

Eight senior officers from the Office of the Judge Advocate General – the highest military legal authority – sounded an alarm in 2003 in a series of secret meetings with the New York City Bar Association. The career military lawyers complained that the Pentagon had sidelined them because they supported Geneva Convention protections for American prisoners. Retired Rear Adm. John Hutson, judge advocate general from 1997-2000, blames the decision to ignore the Geneva Conventions for “the kind of chaos we’ve seen.”

Newsday
January 13, 2005

**New York Law Journal**

The Association of the Bar of the City of New York is fighting legislation by the U.S. House of Representatives that would require judges to award sanctions whenever they find a lawyer has raised a frivolous claim or motion … The bill is almost certain to emerge next year with strengthened support in the new Congress … Bettina B. Plevan, president of the New York City bar association, recently wrote to 12 senators, including the majority and minority leaders of the Senate and its judiciary committee, objecting that the House-passed changes “are harmful to the courts, harmful to litigants and harmful to our system of justice.”

New York Law Journal
December 9, 2004

**The New York Times**

Matrimonial lawyers, bar associations and judges are pushing to have the [divorce] law changed, saying it is archaic and heightens hostilities between spouses, which particularly hurts children. Both the New York State Bar Association and the city bar are backing a legislative change in Albany to add no-fault grounds, and several powerful legislators appear to be receptive. “Even Chile, one of the most Catholic countries in the world, has no-fault divorce now,” said Harold A. Mayerson, a Manhattan divorce lawyer and chairman of the committee on matrimonial law at the Association of the Bar of the City of New York.

The New York Times
November 30, 2004

**The New York Sun**

Many legal immigrants take plea settlements without realizing accepting certain sentences for even seemingly minor crimes could get them deported … The Association of the Bar of the City of New York criticized the law in a report last spring. “Without a warning, many non-citizen defendants plead guilty to lesser New York offenses unaware of these potential immigration consequences,” the report found … “The interests of justice require a warning mechanism that puts the non-citizen defendant on notice, so that he may make an informed choice as to whether, and to what, to plead guilty.”

The New York Sun
November 16, 2004
Getting Help: Selecting and Working with Diversity Consultants

Many organizations retain external consultants to assist in their diversity efforts—from conducting an internal assessment to designing a strategy to implementing concrete programs such as mentoring and diversity training. On March 10th, Anna Brown, diversity management attorney and executive director of the Diversity Committee of Shearman & Sterling LLP, led the working session, "Selecting and Working with Diversity Consultants."

Based on the responses of 37 signatories to the City Bar's Statement of Diversity Principles, more than two-thirds retained a diversity consultant in the past. Furthermore, nearly three-quarters anticipate using a diversity consultant in the future. The majority have or intend to use a consultant to deliver diversity training and education programs. Over one-quarter of respondents have relied on outside expertise for diversity strategy and assessment work. Only three of the respondents neither used a diversity consultant nor anticipate using one in the immediate future.

The key elements in selecting a diversity consultant involve upfront thinking and planning.

Know your organization

How conservative is your organization? Is your organization more cerebral or more practical? How much buy-in is there for diversity already? Understanding your organization's culture is essential to evaluating which diversity consultant is the right fit. Also, keep in mind the particular culture of the organization that is providing a referral and whether the culture is similar to your organization or not.

Know your audience

What levels will the consultants be working with? What types of personal styles tend to work well with these various groups, e.g., partners versus associates? Ideally, consultants "flex" their style to work effectively with a wide range of personalities. A consultant may win over your diversity committee, but it is advisable to witness the consultant with different audiences as well. This is further complicated if you have a global constituency to serve.

Know your diversity plan

As Anna Brown asked, "What's the plan? If you just say, 'we need help,' then you may get more than you bargained for." Think strategically about what you need from the consultant and how it fits into your overall diversity agenda. A consultant that is effective at delivering diversity training may not be the right person to help you develop a diversity strategy. At each step of the process, an organization should step back and assess whether a particular consultant has the appropriate skills and experience to be successful. This is particularly true when you are moving from strategy development to implementation—the best trainers may not be the best strategists and vice versa.

Know your recommendations

It is certainly advisable to seek referrals from trusted colleagues at other organizations. It is equally important to ask probing questions about what type of work the consultant performed for the organization, the specific strengths and weaknesses of the consultant, and what kind of formal feedback was received.

To forge an effective partnership with your consultant, it is essential to explicitly communicate your expectations upfront. This includes your requirements for responsiveness, your ability to preview and revise materials as necessary, and if any summary of lessons learned will be provided as a follow-up. A contract should be drawn up to be sure there are no surprises when the bill arrives. Finally, be sure to have the consultant sign a confidentiality agreement.

Sometimes it is necessary to create a partnership between two different consultants in order to meet your organization's needs—whether it's to bring together a gender expert with a race/ethnicity effort or meet the different needs of partners and associates. In this case, you want to be sure to lay out in writing each of their respective roles.

To learn more about selecting a diversity consultant or upcoming diversity working sessions, please see our website at www.abcny.org or contact Meredith Moore, director of the City Bar's Office for Diversity, at mmoore@abcny.org.

Types of Diversity Consulting -- Past Experience and Future Needs

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<th>Assessment</th>
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<th>Benchmarking</th>
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- Firms Anticipating Future Consultant Needs
- Firms Using Consultants in Past

NYC & COMPANY

Celebrating Women's History Month in New York City
NYC Visit.com
May 2005 Calendar of Events

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 is subject to change. Please check our website at www.abcny.org for the latest program information.

2 Monday, 6-7:30 pm
One Click Over the Line: P2P Technology, Grokster, and What the Future Holds
A panel discussion of copyright and technology law experts will discuss online Peer-to-Peer (P2P) services and recent legal developments, including:

- The current U.S. Supreme Court "MGM v. Grokster" appeal, what this might mean with respect to the future of the "Sony-Betamax" standard
- The shelved 2004 Induce Act and current P2P-related legislation
- The competing legal interests of the entertainment industry, consumers and P2P service providers

Moderator: SUSAN CRAWFORD
Professor, Cardozo Law School

Speakers:
STEVE MARKS
General Counsel, RIAA

ADAM EISGRAU
General Counsel, P2P United

SARAH B. DEUTSCH
Associate General Counsel, Verizon

SONIA KATYAL
Professor, Fordham Law School

3 Tuesday, 1-2:30 pm
Clear Track Ahead? Mass Transit Improvements & Funding for New York
Public transportation in New York has not seen significant additions in decades, while New Jersey has moved ahead with direct commuter rail service to Manhattan and light rail initiatives. Now New York is weighing a direct rail line from Downtown Manhattan to Kennedy Airport, bringing the Long Island Rail Road into Grand Central Terminal and building the long-dormant Second Avenue subway, as well as extending the no.7 subway line to the West Side and constructing a rail freight tunnel under New York Harbor. In addition, New Jersey Transit has proposed a new tunnel and Midtown Manhattan terminal.

Which of these projects deserves priority? Where will the funding for these major capital programs come from?

Moderator: PHILIP WEINBERG
Professor, St. John's University School of Law

Speakers:
HON. JERROLD NADLER
Representative, United States Congress

RICHARD RAVITCH
Former MTA Chair

THOMAS SCHULZE
Director of "Access to Region's Core" Project, New Jersey Transit

WILLIAM WHEELER
Director, Special Project Development and Planning, Metropolitan Transportation Authority

JEFFREY M. ZUPAN
Senior Fellow for Transportation, Regional Plan Association

3 Tuesday, 6-8 pm
Using Networking and Networking Support Groups to Manage Your Job Search and Career
To effectively use networking in managing your job search and career, you must be able to understand it conceptually and be able to take actions that generate results. This workshop will use networking concepts to create specific search objectives for workshop participants. Strategies to achieve these objectives will be developed, including how to use networking support groups to build and maintain momentum.

Speaker:
GIL ALLISON
Senior Vice President, Career Management Consultants

3 Tuesday, 6:30 pm
Anger, Compassion, and the Death Penalty
The survivors of murder victims suffer great pain brought on by the loss of a loved one. This pain often brings on feelings of anger and rage directed at the person who committed the murder. Through an internationally renowned scholar on Buddhism and through stories of families of murder victims, this program focuses on how survivors may address such feelings through compassion and understanding.

This program will feature a free showing of the short documentary film, The Empty Chair, which chronicles the journey of four families towards forgiveness. Jacqui Lofaro, one of the film's producers, will introduce the film, and there will be a presentation by Renny Cushing, whose story is featured in the documentary. Additionally, Dr. Robert A.F. Thurman of Columbia University will discuss the issue of anger, compassion, and the death penalty from the Buddhist perspective.

Moderator:
MARTIN J. LEAHY
Law Office of Martin J. Leahy

RENNY CUSHING
Justice Productions

DR. ROBERT A.F. THURMAN
Jey Tsong Khapa Professor of Indo-Tibetan Buddhist Studies, Department of Religion, Columbia University; President, Tibet House U.S.

4 Wednesday, 6-8 pm
Complete Job Search Workshop
What is networking? Does anyone read a cover letter? How many pages should a resume be? This interactive workshop will answer these and many more questions about the job search process. It is designed to provide career planning and effective job search strategies for attorneys at all levels of experience, including recent law school graduates, who are undergoing career transitions.

Speaker:
LINDA E. LAUER
Acting Director, Private Sector, Career Development Office, Yale Law School
Animal Hoarding: Psychological, Social and Legal Issues

A panel of experts will address various aspects of animal hoarding. The psychological and social issues of animal hoarding includes topics such as at what point having multiple animals or rescuing becomes hoarding, to what extent animal hoarding is a disorder similar to other types of hoarding, and how animal hoarders are dealt with generally in our society. Panel members will also focus on the legal issues that arise both civilly and criminally. Cases brought in the context of housing complaints, whether in apartments, regulated housing, co-operatives or condominiums, will be examined, along with criminal cases that are brought as a result of animal hoarding. The speakers below will be joined by a representative of the Animal Hoarding Project of the Department of Health and Mental Hygiene.

Moderators:
MARY DENE DAVIS
Court Attorney-Referee, Bronx County Surrogate’s Court

Piper Hoffman
Otten & Golden LLP

Speakers:
BILLY DUNN
Counsel, humane Law Enforcement, American Society for the Prevention of Cruelty to Animals

RANDALL LOCKWOOD
Vice President, Research and Educational Outreach, The Humane Society of the United States

CAROL MORAN
Deputy District Attorney, Kings County District Attorney’s Office

DARRYL VERNON
Vernon & Ginsburg, LLP

Lawyer-Enduring a Political Scandal: The Experts Tell All

A panel of national experts discusses the unique issues confronting lawyers during political scandals and explains how to survive treacherous political and legal cross-currents.

Moderator:
STEVEN F. REICH
Manatt, Phelps & Phillips, LLP; former Senior Associate Counsel to President Bill Clinton

Speakers:
ANN B. BREUER
Covington & Burling; former Special Counsel to President Bill Clinton

RONALD P. FISCHETTI
Law Offices of Ronald P. Fischetti

ROSS H. GARBER
Shipman & Goodwin, LLP; former counsel to Governor John G. Rowland

ROBERT W. RAY
Pitney, Hardin & Phillips, LLP; former Independent Counsel

JEFFREY TOOBIN
ABC News/The New Yorker

Legal Issues Confronting Aging Adults and Caring for Aging Parents

The program will discuss the needs of senior clients, and caring for elderly parents. Key documents to be discussed are powers of attorney, living wills, health care proxies, guardianships and Medicaid planning.

Speakers:
CLIFFORD A. MEIROWITZ
Law Offices of Clifford A. Merowitz, PLLC; Chair, New York County Lawyers’ Association, Elder Law Committee

Co-sponsored by:
New York County Lawyers’ Association

ADR Luncheon Trends in Education and Their Impact on the Growing Field of ADR

As the use of conflict resolution techniques expand into many aspects of legal practice, law schools are responding with exciting and creative training programs. This luncheon program will explore the latest developments and opportunities offered by New York area law schools to develop ADR practitioner skills. Law firms, ADR practitioners and other entities may learn more on how to tap into and take advantage of the talents and skills of recent graduates.

Moderators:
STEPHANIE MORSE-SHAMOSH
First Vice President, UBS Financial Services, Inc.

FAITH WU
Attorney-Mediator

Speakers:
SARAH BURNS
Professor of Clinical Law, New York University School of Law

ROMAINE GARDNER
Associate Clinical Professor of Law, Fordham Law School

LELA LOVE
Professor of Law and Director, Kukin Program for Conflict Resolution and the Cardozo Mediation Clinic.

Registration by May 2 is necessary. The fee, which includes lunch, is $20 for members, $30 for non-members. Please register on page 11 or online at www.abcny.org.

Small Law Firm Luncheon The Necessities of Opening Your Own Practice

This program will address a number of important issues faced by attorneys who are considering the exciting opportunity of opening their own law practices. Some of the important topics which will be covered include: how to get clients, choosing the correct area of practice, finding office space, choosing the right equipment and supplies for your practice, and opening bank accounts.

Moderator:
MARTIN J. LEAHY
Law Office of Martin J. Leahy

Speakers:
LISA M. BLUESTEIN
Director, Small Law Firm Center of the Bar of the City of New York

SCOTT L. FENSTERMAKER
Law Office of Scott L. Fenstermaker, P.C.

MARK A. JOSEPHSON
Attorney and CPA, CFP, CFE

Aquamarine Josephson, CPA, LLC

Supported by LexisNexis.

Registration by May 7 is necessary. The fee, which includes lunch, is $20 for members, $30 for non-members. Please register on page 11 or online at www.abcny.org.

Small Law Firm Event Protecting Your Livelihood: Proper Escrow Management

Improper management of escrow funds is one of the leading causes of attorney disciplinary complaints, often leading to suspension and even disbarment. A single misstep in maintaining your escrow accounts can mean the loss of your livelihood. Make sure this does not happen to you. Please join us for an informative program that will help guide you in the means to properly protect yourself, your business, and your livelihood.

Speaker:
MICHAEL J. GARIBALDI
CPA/ABV
President and CEO, Isadoff, Trattner & Co., P.C.

There is no fee for this event and coffee will be served.
11 Friday, 6 pm
FRIDAY EVENING CHAMBER MUSIC AT THE ASSOCIATION
Eastern Winds and Friends

The program will include Carl Nielsen, Wind Quintet, Op. 43; Georges Onslow, Septet for Piano, Winds & Double Bass, Op. 77; and Charles Loeffler, Two Rhapsodies for Oboe, Viola and Piano with Richard Paratley (Flute), Julie Ferrara (Oboe), Akari Yamamoto (Clarinet), Susanne Chen (Bassoon), Marc Cerri (Horn), François Noczewsky (Piano), Cindy Campbell (Oboe), and Stephen Salchow (Viola).

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

16 Monday, 7-9 pm
Equality at the Crossroads: Reflections on the Lesbian, Gay, Bisexual and Transgender Civil Rights Movement - Where Is It Now, Where Does It Go From Here?

Prior to 2004, many would agree that the LGBT civil rights movement was gaining momentum, especially in such areas as family law, hate crimes legislation, benefits equality and privacy. In November, however, more than a dozen states took affirmative steps to limit the expansion of LGBT rights through legislation and election referendums.

The conflicting developments in the past year (including inconsistent court decisions) provide an opportunity for critical reflection on the course of the LGBT civil rights movement, and the current strategies employed for promoting LGBT rights.

M moderator:
JOHN DE CLEF PIÑEIRO
Deputy General Counsel, Law Department, New York City Housing Authority

Speakers:
DAVID M. SCHLECKER
Anderson Kill & Olick
RICHARD LEWIS
Anderson Kill & Olick
EILEEN A. FRANK
President, J.P. West Inc.

ARNOLD MASCALI
Counsel, Aon Horizon Consulting Inc.
RICHARD C. HSIA
Executive Vice President of Wright Risk Management Company Inc.; formerly Deputy Superintendent of Insurance for the State of New York

Registration by May 9 is necessary. The fee for each part, which includes lunch, is $20 for members, $30 for non-members. Please register on page 11 or online at www.abcny.org.

17 Tuesday, 6 pm
Annual Meeting of the Association

All Association members are invited to the Annual Meeting of the Association. A reception will follow the meeting, which will feature the unveiling of the portrait of former Association President E. Leo Milonas.

Moderator:
JOSEPH M. VAN
Cohen Tauber Spievack & Wagner LLP; Chair, Pro Bono Subcommittee, Bankruptcy and Corporate Reorganization Committee

Speakers:
HON. STUART M. BERNSTEIN
Chief United States Bankruptcy Judge, Southern District of New York
HON. ALLAN L. GROPPER
United States Bankruptcy Judge, Southern District of New York
HON. ELIZABETH S. STONG
United States Bankruptcy Judge, Eastern District of New York
LEONARD H. GERSON
Angel & Frankel PC
TERENCE K. McLAUGHLIN
Willkie Farr & Gallagher LLP
JOHN McMANUS
Project Director, City Bar Fund Pro Bono Consumer Bankruptcy Project
SEAN A. O’NEAL
Cleary Gottlieb Steen & Hamilton LLP

There is no fee for this program. Panel attendees are eligible to receive 2.0 CLE credits, including 0.5 in ethics and professionalism. To RSVP for the panel and/or reception, please contact Sara E. Chang, at schang@abcny.org or (212) 382-6648, by May 11th.

18 Wednesday, Program 4-6 pm, Reception 6-8 pm
Bankruptcy Pro Bono: From the Trenches to the Supreme Court
CLE Panel Followed by Reception Honoring Bankruptcy Judges and Celebrating Pro Bono Initiatives

This CLE Program, offered in connection with the relaunch of the City Bar Bankruptcy Pro Bono Panel, is designed to encourage lawyers to volunteer for the project. The program will highlight the experiences of several lawyers in bankruptcy pro bono matters ranging from fast-paced motion and trial practice to oral argument in the U.S. Supreme Court. Judges from the Southern and Eastern District Bankruptcy Courts will also offer perspectives on successful bankruptcy litigation, how it differs from litigation in other courts, and opportunities for pro bono service. The recent opinion of the Association’s Committee on Professional and Judicial Ethics on pro bono consumer bankruptcy representation will be discussed as well.

The Reception will honor the Judges of the Southern and Eastern District Bankruptcy Courts, and will celebrate the activities and volunteers of the City Bar Bankruptcy Pro Bono Panel and the Pro Bono Consumer Bankruptcy Project. Information on the Bankruptcy Pro Bono Panel, which provides pro bono representation in matters referred by the bench, and the Consumer Bankruptcy Project, which advises debt burdened low-income individuals on the restructuring of their finances, will be available.

Moderator:
LEONARD H. GERSON
Chief United States Bankruptcy Judge, Southern District of New York

Speakers:
HON. ALLAN L. GROPPER
United States Bankruptcy Judge, Southern District of New York
HON. ELIZABETH S. STONG
United States Bankruptcy Judge, Eastern District of New York
LEONARD H. GERSON
Angel & Frankel PC
TERENCE K. McLAUGHLIN
Willkie Farr & Gallagher LLP
JOHN McMANUS
Project Director, City Bar Fund Pro Bono Consumer Bankruptcy Project
SEAN A. O’NEAL
Cleary Gottlieb Steen & Hamilton LLP

There is no fee for this program. Panel attendees are eligible to receive 2.0 CLE credits, including 0.5 in ethics and professionalism. To RSVP for the panel and/or reception, please contact Sara E. Chang, at schang@abcny.org or (212) 382-6648, by May 11th.
Diversify Your Career (And Yourself): Public Service Opportunities in the Metropolitan Area

The panelists will discuss their experiences with legal and non-legal volunteer projects and the variety of opportunities for volunteer community service for attorneys. An informal reception will follow to allow audience members to talk with panelists and representatives from the nonprofit community.

Moderator:
THOMAS MALIGNO
Director of Career Development and Public Interest, Touro Law School

Opening Remarks:
BETTINA B. PLEVAN
President, Association of the Bar of the City of New York

Speakers:
JEAN BANTON
Project Leader, United Way of New York City Linkages

NANCY CABALLERO
Program Manager, Workshop in Business Opportunities

JEFFREY FOGEL
Legal Director, Center for Constitutional Rights

COLETTE FOSTER-FRANCK
Schulte Roth & Zabel LLP
Public Service Network Volunteer, InMotion, Inc.; Workshop in Business Opportunities

KEVIN HOGAN
Public Service Network Volunteer, El Museo de Barrio

MADELEINE SCHACTER
Time Warner Book Group, Inc.
Public Service Network Volunteer, Cyrus R. Vance Center for International Justice Initiatives; Evan B. Donaldson Adoption Institute, Fresh Art

WARRIN SINsheimer
Executive Director, Legal Services for Children

Registration by May 10 is necessary. There is no fee for this program. To register, please contact Sara Chang at 212-382-6648 or schang@abcny.org.

19 Thursday, 6:30-8:30 pm
6pm Refreshments, 6:30 pm - 8:30 pm Discussion

Stem Cell Research in New York: Science, Policy and Ethics

Stem cell research offers immense promise for developing new medical therapies for debilitating diseases. However, stem cell research also raises difficult policy issues and ethical concerns, in particular with respect to the use of human embryonic stem cells. New York has historically been a leader in biomedical research, but recent stem cell initiatives in California and elsewhere pose a threat to New York’s preeminence in this field. The panel will explore the scientific, policy and ethical considerations that will shape the future of stem cell research in New York.

Speakers:
HON. LIZ KRUEGER
New York State Senate

GERALD D. FISCHBACH, M.D
Dean, Faculty of Medicine at Columbia University

RUTH L. FISCHBACH, PH.D, M.P.H
Director, Center for Bioethics, Columbia University

STUART A. NEWMAN, PH. D
Professor of Cell Biology and Anatomy, New York Medical College

23 Monday, 6-8 pm
IPTV and Entertainment Over Broadband: Will The Rules of the Road Get Us Where We Want To Go?

Internet Protocol is increasingly used to deliver not only voice (telephone) and data (internet access), but video as well, as established telephone companies Verizon and SBC have made major investments to enter this arena and expand the competitive battlefronts with cable and satellite providers. The new technological and business developments present significant legal and public policies issues including:

- Will IPTV require a broad "open access" requirement to the broadband pipe, or will the development of broadband competition provide a market-based solution?
- Is there still a place for local franchising of cable systems and their competitors in a world of globalized IPTV?
- What regulatory impact will flow from the applications that sit on a broadband platform independent of the provider - i.e., the video equivalents of VOIP?

Given the inevitability of technological change, what does the current legal framework mean for IPTV content providers? Is there a better regulatory framework that balances the interests of the content players, network owners and users?

Moderator:
HOWARD B. HOMONOFF
President, Homonoff Media Group

LAWRENCE B. MILCH
Senior Vice President and Deputy General Counsel, Verizon Communications, Inc.

In conjunction with:
Columbia Institute of Tele-Information; Marconi Foundation at Columbia University

24 Tuesday, 7-9 pm
Becoming Justice Blackmun: Harry Blackmun’s Supreme Court Journey

At the time of his appointment to the U. S. Supreme Court on April 4, 1970 by President Richard Nixon, Harry Blackmun was declared "conservative-to-moderate in both criminal law and civil rights." by William Rehnquist, Nixon’s assistant attorney general who analyzed Blackmun’s record as an Eighth Circuit Court of Appeals judge. In fact, Blackmun was widely viewed as the most liberal member of the Supreme Court by the end of his 24-year career, writing on controversial issues such as the landmark decision Roe v. Wade. Pulitzer-Prize winning New York Times Supreme Court correspondent Linda Greenhouse covered the last 16 years of his tenure and examines this transformation, after obtaining exclusive access to research Justice Blackmun’s extensive archive and private and public papers, made available in 2003.

Speaker:
LINDA GREENHOUSE
New York Times Supreme Court Correspondent

25 Wednesday, 8:45am-4 pm
The NLRA at 70: Where It Is and Where It Should Go

Please see pg 10 for complete details.
### The NLRA at 70: Where It is and Where It Should Go

**Wednesday, May 25, 2005 • 8:45am- 4 pm**

At this one day conference, NLRB Chairman Robert Battista, Board Members Wilma Liebman and Peter Schaumber, General Counsel, Arthur Rosenfeld, several former Board Members and General Counsels and prominent union and management representatives will discuss the current state of labor law and the anticipated changes under the Bush NLRB. A lifetime achievement award will be presented to former Chairman John C. Truesdale.

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**Speakers:**

- **Charles I. Cohen**
- **Brent Garren**
- **Arthur F. Rosenfeld**
- **John E. Higgins**
- **John N. Toner**
- **Peter J. Hurtgen**
- **Pete C. Schauberger**

**Moderators:**

- **David N. Ellenhorn**
- **Stephen J. Friedman**
- **Howard Shapiro**
- **David Lawrence Gregory**

**Recipient:**

- **John C. Truesdale**

**Registration:**

- $100 for City Bar, NYSBA and ABA members; $125 for non-members; $75 for government employees and $35 for students. Please register on page 11 or online at www.abcny.org.
May 2005
Registration Form

☐ ADR Luncheon - May 9
☐ $20 Member ☐ $30 Non-member

☐ Small Law Firm Luncheon - May 12
☐ $20 Member ☐ $30 Non-member

☐ Dirt Lawyers' Luncheon - May 16 & 23
May 16 ☐ $20 Member ☐ $30 Non-member
May 23 ☐ $20 Member ☐ $30 Non-member

☐ NLRA at 70 - May 25
☐ $100 City Bar, NYSBA or ABA Member
☐ $125 Non-member
☐ $75 Gov't Employee ☐ $35 Student

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Total Enclosed: $________________
Please charge to my:
☐ Mastercard ☐ Visa ☐ American Express
Card Number: ___________________________
Expiration Date: __________________________
Signature: _______________________________

Please return this form to: Meeting Services, Association of the 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.

NEW COMMITTEE REPORTS

• Capital Punishment
Letter to NYS governor and legislative leaders urging that the Capital Defenders Office not be disbanded. The committee said the office has done a superb job in representing capital defendants. Even though the death penalty is not currently in use in New York, it could be re-enacted and, if capital punishment is revived, there is no guarantee that an office of this quality could be reassembled. The Committee recommends that the office be used for other indigent defense work in the coming year.

• Council on Judicial Administration
• Election Law
• Government Ethics
Testimony before the state Senate Judiciary Committee on judicial elections. The testimony acknowledged the efforts at reform of the judicial election process, but noted that such efforts are fundamentally inadequate because they cannot cure the basic disadvantages of judicial elections. The testimony noted the Association's continued support for merit appointment of judges and noted that, if there was to be judicial election reform, there would be a need to establish independent screening panels which would recommend only a limited number of candidates per vacancy, from which the political leaders would pledge (or if possible, be compelled) to choose.

• Estate and Gift Taxation
Memorandum in support of S3441, which would amend EPTL Section 7-3.1(a) to clarify existing law that a trustee's discretionary authority to pay or reimburse the creator of an express trust for taxes imposed on trust income or principal is not a disposition that causes the trust to be void as against creditors of the trust creator. This clarification is necessary to protect trust assets from being includible in the creator's gross estate for federal estate tax purposes.

• International Human Rights
Letter to Secretary of State Rice urging that the Department of State recommend that the U.S. representative to the U.N. Security Council vote in favor of referring the situation in Darfur to the International Criminal Court. The committee acknowledged that the U.S. opposes the existence of the Court, but believes the urgency of the situation and the value of the Court as a vehicle in dealing with the internationally-acknowledged perpetrators of violations of law which may be crimes against humanity in Darfur make the Court the most effective and appropriate forum for this situation.
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<td>Creative Tax Planning Strategies for Real Estate Investments</td>
<td>Securities Enforcement in the New Era...</td>
<td>Ethical Perils &amp; Pitfalls Facing Start-Up &amp; Small Firm Practitioners</td>
<td>Evolving Issues in Reinsurance &amp; Insolvency</td>
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<td>Data Oursourcing: Emerging Information Technology Issues</td>
<td>Current Developments in Copyright Law</td>
<td>What Every Matrimonial Lawyer Should Know About Trusts, Estates &amp; Social Security Benefits</td>
<td>Privileges in Civil Litigation</td>
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<td>Article 81: Certified Training for Guardians, Court Evaluators &amp; Attorneys for Alleged Incapacitated Persons</td>
<td>Investing in the Healthcare Sector in India: A Consideration of the Important Legal &amp; Business Issues</td>
<td>Ethical Challenges in Legal Practice: Recent Developments</td>
<td>Current Issues in Private Equity Investing</td>
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Sports Arbitration: Exploring the Hidden Playing Field and the Rules That Control After the Competition is Over

World-class athletes do not only win and lose on the playing field. A hidden but developed legal system of arbitration exists to resolve disputes that arise in connection with such wide ranging issues as drug testing, field of play and rule interpretation issues and team qualification, just to name a few. This program will explore the structure of the legal system that exists for resolving sports disputes, the procedural and due process issues that arise in connection with these arbitrations and the impact the sports arbitration mechanism has on the athletes and the competitions in which they compete.

Program Chair:
ETHAN A. BRECHER
Liddle & Robinson, L.L.P.

Faculty:
RICHARD W. BUCHANAN
Senior Vice President and General Counsel
National Basketball Association

MARK S. LEVINSTEIN
Williams & Connolly LLP

MAIDIE E. OLIVEAU
Arbitrator, Court of Arbitration for Sport & American Arbitration Association
Attorney, LawSports

JOHN W. RUGER
Athlete Ombudsman
United States Olympic Committee

ED G. WILLIAMS
Counsel
Stewart Occhipinti LLP

Corporate & Securities

3 Tuesday, 9-5 p.m.

Securities Enforcement in the New Era: Views from Inside & Out

Enforcement of the federal securities laws has changed dramatically. The SEC's Division of Enforcement has been joined by self-regulatory organizations, state regulators and criminal prosecutors in policing the nation's securities markets. Both regulators and criminal prosecutors have moved aggressively, using new techniques and bringing civil enforcement actions and, increasingly, criminal charges, in record numbers and at record speed. The Sarbanes-Oxley Act gave the SEC potent new weapons, and additional funding. The President's Corporate Fraud Task Force has emphasized criminal prosecutions on a national level. And, in the wake of the industry-wide research analyst settlement, state regulators have participated as partners with the SEC in some of the most high-profile cases. Defending clients in this new complex environment can be an extraordinarily difficult task.

This program will cover all of these developments as they effect representing public companies, broker dealers, investment advisers and individuals in SEC investigations and SEC litigation, as well as dealing with parallel criminal, state and SRO investigations. The program will include panels on:

- An overview of the SEC's investigative process:
- Accounting fraud & disclosure investigations
- Special issues for broker dealers & other regulated entities
- Resolving the case: wells submission & settlement issues
- Litigating SEC enforcement actions
- Criminal enforcement of the securities laws

Program Chair:
WILLIAM R. BAKER III
Latham & Watkins LLP

Faculty:
STEPHANIE AVAKIAN
Wilmer, Cutler, Pickering, Hale & Dorr LLP

DAVID M. BRODSKY
Latham & Watkins LLP

WAYNE M. CARLIN
Wachtell, Lipton, Rosen & Katz

FREDDERIC D. FIRESTONE
Assistant Director
Division of Enforcement
Securities and Exchange Commission
Washington, DC

ANDREW J. GEIST
O'Melveny & Myers LLP

JOHN L. HUNTER
Assistant Chief Litigation Counsel
Division of Enforcement
Securities and Exchange Commission
Washington, DC

ROBERT S. KHUZAMI
General Counsel - Americas
Deutsche Bank AG

CARMEN J. LAWRENCE
Fried, Frank, Harris, Shriver & Jacobson, LLP

BARRY W. RASHKOVER
Sidley, Austin, Brown & Wood LLP

ROBERT M. ROMANO
Morgan Lewis & Bockius LLP

DAVID ROSENFELD
Associate Regional Director
Northeast Regional Office
Securities and Exchange Commission

JOHN F. SAVARESE
Wachtell, Lipton, Rosen & Katz

ERICH T. SCHWARTZ
Skadden, Arps, Slate, Meagher & Flom LLP
Washington, D.C.
MICHAEL S. SOLENDER
General Counsel
The Bear Stearns Companies, Inc.

HARRY J. WEISS
Wilmer, Cutler, Pickering, Hale & Dorr LLP
Washington, D.C.

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

**Live Program:**
$315 Member, $455 Non-member

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**6 Friday, 9-12 p.m.**

**VIDEO REPLAY:**
**ABCs of Drafting Corporate Agreements**

This program will present a step-by-step approach to drafting corporate agreements, including discussions regarding preliminary documentation, the use (and abuse) of forms, developing a drafting style, and a review of selected drafting guidelines and conventions, including the role of "boilerplate" provisions. The panel will also focus on the architecture and content of typical acquisition agreements and employment contracts.

**Program Instructors:**
KENNETH P. KOPELMAN
Kramer Levin Naftalis & Frankel LLP

JACK M. PLATT
Law Office of Jack M. Platt

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

**Video Replay:**
$185 Member, $285 Non-Member

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**20 Friday 9-12:30 p.m.**

**Current Issues in Private Equity Investing**

This program will cover current issues in structuring and negotiating private equity investments, including the emerging role of hedge funds in private equity investing and special considerations relating to foreign private issuers. Speakers will include representatives of law firms, private equity firms, and accounting firms.

**Program Chair:**
MICHAEL A. GERSTENZANG
Cleary Gottlieb Steen & Hamilton LLP

**Faculty:**
ALAN S. ALPERT
Managing Partner
Global Transaction Services
Deloitte Tax LLP

JEFFREY W. FERGUSON
Managing Director & General Counsel
The Carlyle Group
Washington, DC

DAVID K. MOODY
Purrrington Moody LLP

NEIL Q. WHORISKEY
Cleary Gottlieb Steen & Hamilton LLP

**CLE Credit:**
3½ credits professional practice/management. This program provides transitional credit for newly admitted attorneys.

**Live Program:**
$185 Member, $285 Non-member

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**23 Monday, 9-12 p.m.**

**Fund Compliance in a New Regulatory Environment: CCOs, Ethical Considerations and Enhanced Contract Disclosure Requirements**

A panel discussion led by representatives from fund complexes and third-party service providers of different sizes, educators and industry lawyers about models of Rule 38a-1 compliance programs. The panel members will describe different implementation methods and their views of the new Chief Compliance Officer role, and also will consider issues facing fund complexes under Rule 38a-1. They will explain how different fund boards have begun their oversight of Rule 38a-1’s requirements, will discuss the "senior officer" role instituted by several fund complexes in response to settlements with New York’s Attorney General and will describe SEC guidance concerning evolving industry practices.

**Program Chair:**
STUART H. COLEMAN
Stroock & Stroock & Lavan LLP

**Moderator:**
MARY JOAN HOENE
Chief Compliance Officer, Columbia Funds, BACAP Registered Hedge Funds, The Galaxy Fund, Liberty All-Star Funds and Nations Funds Bank of America
Boston, MA

**Faculty:**
JOHN E. BAUMGARDNER, JR.
Sullivan & Cromwell LLP

GENE A. GOHLKE
Associate Director
Securities and Exchange Commission
Office of Compliance Inspections & Examinations
Washington, D.C.

LISA HURLEY
Executive Vice President/General Counsel
BISYS Fund Services, a Division of The BISYS Group, Inc.

PHILIP L. KIRSTEIN
Independent Compliance Officer and Senior Officer
Alliance Capital

HAL LIEBES
Group Compliance Officer
Amvescap PLC
### CRIMINAL LAW

24 Tuesday, 6-9 p.m.

**Nuts and Bolts of Sentencing in New York City For State Offenses**

This three-hour program will emphasize practical aspects of sentencing in connection with New York State felony and misdemeanor offenses. After outlining the applicable statutory provisions and basic terms and concepts, we will discuss their use by advocates and judges during various phases of criminal litigation. The following subjects, among others, will be covered: authorized sentences for offenses, parole and post-release supervision, sentencing law and advocacy, and the role of the court in plea bargaining.

Program Chair:
**BARRY GINSBERG**  
Senior Investigative Counsel  
New York County District Attorney’s Office  
Faculty:  
**HON. STEVEN L. BARRETT**  
Supreme Court Justice, Bronx County  
**WILLIAM DARROW, JR.**  
Bureau Chief  
Assistant District Attorney  
New York County District Attorney’s Office  
**RICHARD de SIMONE**  
Associate Counsel in Charge  
Office of Sentencing Review  
New York State Department of Correctional Services

### ELDER LAW

17 Tuesday, 9-4:30 p.m.

**Article 81: Certified Training for Guardians, Court Evaluators & Attorneys for Alleged Incapacitated Persons**

In order to serve as Guardian, Court Evaluator or Attorney for Alleged Incapacitated Persons, pursuant to Article 81 of the Mental Health Law, a person is required to receive training approved by the Guardian and Fiduciary Services of the Office of Court Administration. New Part 36 of the Rules of the Chief Judge establish training requirements for appointment as a guardian, court evaluator or attorney for an alleged incapacitated person. This all day course will meet the training requirements for appointment as a guardian, court evaluator or attorney for an alleged incapacitated person and those who attend the full day will receive a certificate of training.

Program Chair:
**MATTHEW J. NOLFO**  
Law Offices of Matthew J. Nolfo  
Faculty:  
**PEGGY BARBANEL**  
Law Offices of Peggy Barbanel  
**PATRICIA BORIS, A.C.S.W.**  
St. Luke's-Roosevelt Hospital  
**PEACHETTA DE FREITAS**  
Law Office of Alfreda B. Kenny  
**CHARLES F. DEVLIN**  
Director  
Guardian & Fiduciary Services  
**PHILIP J. HAUPTMAN, M.D.**  
Private Practice  
**ALFREIDA B. KENNY**  
Law Office of Alfreda B. Kenny  
**CLIFFORD A. MEIROWITZ**  
Law Offices of Clifford A. Meirowitz, P.L.L.C.  
**NICK NEWCOMBE, CSW, CMC**  
Director of Client Services  
Senior Bridge Family Companies  
**JOAN ROBERT**  
Kassoff, Robert, Lerner & Robert LLP  
**IRA SALZMAN**  
Goldfarb Abrandt Salzman & Kutzin LLP  
**JAY J. SANGERMAN**  
Jay J. Sangerman, PLLC  
**EDWARD M. VIRSHUP**  
The Office of Edward Virshup

**CLE Credit:**  
7 credits total: credit breakdown to be determined. This program provides transitional credit for newly admitted attorneys.

**Live program:**  
$315 ABCNY Member, non-legal professional & family member guardian; $455 Non-member
**ETHICS**

5 Thursday, 6-9 p.m.

**Ethical Perils & Pitfalls Facing Start-Up & Small Firm Practitioners**

Starting and maintaining your own law practice is challenging but incredibly rewarding. Small firm practitioners 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 Deputy 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 recordkeeping; 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:  
**LISA M. BLUESTEIN**  
Small Law Firm Center Director  
Association of the Bar of the City of New York  
Faculty:  
**RICHARD M. MALTZ**  
Richard M. Maltz, PLLC  
**DEBORAH A. SCALISE**  
Jones Sledzik Garneau & Nardone LLP  

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

**Live Program:**  
$215 Member, $315 Non-member

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**FAMILY LAW**

11 Wednesday, 6-9 p.m.

**What Every Matrimonial Lawyer Should Know About Trusts, Estates & Social Security Benefits**

In the practice of matrimonial law, issues regarding estate planning, including creating trusts for an ex-spouse, spouse-to-be, and/or children, federal and state estate taxes which may be assessed on life insurance proceeds (among other assets) upon the death of a party, and the treatment of a spouse's Social Security benefits, present themselves and should be given careful consideration. This program will focus on areas which matrimonial lawyers should be alert to in negotiating and drafting agreements as well as highlighting common mistakes that should be avoided.

In the area of estate and trust planning, specific attention will be given to (i) the need to address the creation of trust where there is a child with "special needs" involved; (ii) the benefits of a trust to avoid the estate taxation of life insurance; (iii) the importance of conformity by the parties in their wills with respect to the selection of a guardian and the ages of distribution of assets to children; and (iv) the passing of jointly held assets and the taxation of such assets when they are to be sold or distributed subsequent to a divorce. In addition, prenuptial agreements pose many issues in the planning in case of the death of a party particularly where a non-citizen spouse may be involved. These areas, in addition to the basics which must be known about Social Security benefits, will be reviewed.

Program Chair:  
**JUDITH L. POLLER**  
Bryan Cave LLP  
Faculty:  
**HON. BARBARA HOWE**  
Erie County Surrogate’s Court  
**STEVEN M. LOEB**  
Cleary Gottlieb Steen & Hamilton LLP  

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

**Live Program:**  
$245 Member, $345 Non-member
GORDON H. MARSH  
Marsh & Valentine LLP

GIDEON ROTHSCHILD  
Moses & Singer LLP

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

Live Program:  
$185 Member, $285 Non-member

Evolving Issues In Reinsurance & Insolvency

This program will cover recent developments in reinsurance law and the history and current law regarding utmost good faith. Panel discussions will explore the controversial area of finite reinsurance and arbitration practice from the perspective of cedents and reinsurers. The speakers will address the training of arbitrators, collections strategies and techniques, and the history of reinsurance regulation.

Program Co-chairs:  
BARRY T. BASSIS  
Coverage Counsel  
Hartford Financial Products

DENNIS HAYES  
Estate Manager  
Reliance Insurance Company  
Ancillary Receivership (N.Y.)  
New York Liquidation Bureau

Faculty:  
KEITH M. ANDRUSCHAK  
Clifford Chance US, LLP

ROBERT M. FLANNERY  
Mendes & Mount LLP

LLOYD A. GURA  
Mound Cotton Wollan & Greengrass

MARTIN D. HABER  
Law Office of Martin D. Haber

JEANNE M. KOHLER  
Edwards & Angell LLP

PETER T. MALONEY  
Corporate Counsel, Senior Vice President & Corporate Secretary  
QBE Reinsurance Corp.

NICK PEARSON  
Edwards & Angell LLP

MATTHEW T. WULF  
Assistant Vice President & Legal Counsel  
The Reinsurance Association of America  
Washington, D.C.

Co-sponsored with:  
Insurance Federation of New York, Inc. (IFNY)

CLE Credit:  
4½ credits total: 3½ professional practice/practice management & 1 skills. This program provides transitional credit for newly admitted attorneys.

Live Program:  
$315 Member, $455 Non-member

Data Outsourcing: Emerging Information Technology Issues

Designed for both newly admitted and experienced attorneys, this program will examine fundamental issues associated with outsourcing transactions, particularly those involving information technology. The program will provide a general overview of the most challenging terms in outsourcing agreements and the risks presented by those agreements, and explore what is reasonable and realistic with respect to the allocation of risks between an outsource provider and its customer. The program will also address privacy and security standards, and laws and regulations most common to outsourcing transactions. A panel will provide insights on issues that cause outsourcing projects to experience severe problems or fail, and "below the horizon" issues that may affect outsourcing contracts in the near future, in particular, information technology matters.

Program Co-Chairs:  
BRIDGET M. CONNOLLY  
Commercial Counsel  
BT Americas Global Services

ROLAND L. TROPE  
Trope and Schramm LLP

Faculty:  
JOSEPH ALHADEFF  
Chief Privacy Officer and Vice-President for Global Public Policy  
Oracle Corporation

FRED R. COHEN  
LeBouef, Lamb, Greene & MacRae, LLP

E. MICHAEL POWER  
Partner and Chief Privacy Officer  
Gowling Lafleur Henderson LLP

LISA J. SOTTO  
Hunton & Williams LLP

DEE TOMSE  
Senior Counsel, Head of Major Deals and Projects  
British Telecommunications PLC

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

Live Program:  
$315 Member, $455 Non-member

Current Developments in Copyright Law

This program, intended for practitioners who have a working knowledge of copyright law, will focus on recent developments in this area. A panel of experts will discuss the Grokster decision and its implications for peer-to-peer file-sharing, other current issues in music copyright,
copyrightability and the idea/expression dichotomy, and recent fair use decisions such as Kane v. Comedy Partners and Mastercard v. Nader.

Program Chair:
JESSICA R. FRIEDMAN
literarypropertylaw.com
General Counsel, Jobson Publishing LLC

Faculty:
ROBERT J. BERNSTEIN
Law Office of Robert J. Bernstein
STACY GROSSMAN
Fish & Richardson P.C.
MARY E. MULLIGAN
Senior Director- Litigation
Universal Music Group
DIANE L. ZIMMERMAN
Samuel Tilden Professor of Law
New York University School of Law

CLE Credit:
3 credits in professional practice/practice management. This program does not provide transitional credit for newly admitted attorneys.

Live program:
$185 Member, $285 Non-member

INTERNATIONAL LAW
18 Wednesday, 9-12:30 p.m.

Investing in the Healthcare Sector in India: A Consideration of the Important Legal & Business Issues

The healthcare sector in India is poised to become an important resource and ally to the U.S. healthcare industry. As U.S. pharmaceutical companies, hospitals and insurance and managed care companies face increasing financial, regulatory and competitive pressures, they are increasingly turning to providers, manufacturers and vendors in India to enhance U.S. research and development activities, maintain compliance, improve productivity and achieve cost savings.

U.S. companies are attracted to India not only for the competitive advantages it offers, but also for its own large and potentially lucrative domestic healthcare market. The market in India for delivery of healthcare services, including pharmaceuticals, is projected to reach $50 billion by 2006. This growth is being propelled by an increasingly affluent, more consumer-oriented middle class population of approximately 100 million people who are seeking and willing to pay for a higher standard of healthcare.

Join a panel of legal and business who will offer advice and practical insight on relevant topics including:

· overview of the relevant business and legal landscape of the healthcare sector in India;
· the impact on U.S. based pharmaceutical companies and on the Indian pharmaceutical industry of India's compliance with the WTO product patent regime;
· potential outsourcing opportunities for U.S. companies from clinical trials and drug manufacturing to insurance claims processing, medical transcription and medical billing and coding; and
· choice of law and labor and employment issues relevant to conducting operations in India.

Program Co-Chairs:
JILL C. ALVAREZ AND PURVI B. MANIAR
Epstein, Becker & Green P.C.

Faculty:
MITUL DESAI
Senior Attorney
Merck & Co., Inc.

BRIAN J. PLATTON
Epstein, Becker & Green P.C.
JONATHAN TRAFIMOW
Epstein, Becker & Green P.C.
HARIHARAN VELAYUDHAN
Vice President - Business Development & Sales
Apollo Health Services, Inc.

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

Live Program:
$185 Member, $285 Non-member

LITIGATION
12 Thursday, 6-9 p.m.

Privileges in Civil Litigation

The focus of this program will be the basic rules and current trends in the law of privileges. Attorney-client, physician-patient, spousal and clergy privileges will be covered. In discussing the attorney-client privilege, we will also cover the related topics of attorney work product and materials created for litigation. And, in discussing the physician-patient privilege, we will also cover issues relating to obtaining medical records and the effect of HIPAA on the New York law of disclosure.

Cancellations & Refunds
For live programs and video replays, refunds and program credits are available provided cancellation is made in writing and received by the CityBar 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 CityBar 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 CityBar 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 CityBar Center with your suggestions.
Program Instructor:  
BURTON N. LIPSHIE  
Stroock & Stroock & Lavan LLP

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

Live Program:  
$185 Member, $285 Non-member

Program Chair:  
MICHAEL HIRSCHELD  
Dechert LLP

Faculty:  
ALAN I. APPEL  
Bryan Cave LLP

ANDY BERG  
Former Chair, New York State Bar Association, Tax Section; Debevoise & Plimpton

WILLIAM B. BRANNAN  
Cravath Swaine & Moore

JILL E. DARROW  
Katten Muchin Zavis Rosenman

JIM S. KAPLAN  
Herzfeld & Rubin

ANN B. LESK  
Fried, Frank, Harris, Shriver & Jacobson LLP

GEORGE MANOUSOS  
Taxation Specialist, Office of Tax Policy  
U.S. Department of Treasury

DONALD B. REYNOLDS, Jr.  
Buchanan Ingersoll PC.

WILLYS H. SCHneider  
Kaye Scholer LLP

MARK STONE  
Holland & Knight LLP

ALAN J. TARR  
Loeb & Loeb LLP

DONALD ZIEF  
Director, Real Estate Services  
KPMG LLP

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

Live Program:  
$315 Member, $455 Non-member

TAX & ACCOUNTING

2 Monday, 9-5:30 p.m.

Creative Tax Planning Strategies for Real Estate Investments

A prominent faculty of outside attorneys from leading firms and in-house counsel will examine recent developments and planning opportunities in the real estate sector. Planning how to take advantage of recent legislative developments will be discussed. The program will also include a detailed discussion of cutting edge planning techniques affecting partnerships and limited liability companies. In particular, like kind exchange planning including reverse and tenancy-in-common interests exchanges will be examined along with special problems for partnerships and LLCs whose partners may disagree as to how to exit their investment. The dos and don'ts of how to use tax allocations to your advantage will be analyzed, including the review of a sample LLC operating agreement. How to capitalize on capital gains rates as well as how to minimize workout and bankruptcy issues in debt restructuring and elimination will be explored. Estate planning techniques (including use of family limited partnerships) and special problems of foreign investors and tax-exempts will also be discussed.

This program is a must to attend for attorneys and other professionals in the real estate, tax, estate planning, bankruptcy and partnership areas.

Program Chair:  
BRYAN C. SKARLATOS  
Kostelanetz & Fink, LLP

Faculty:  
JANET F. APPEL  
Associate Area Counsel, SBSE  
Office of Chief Counsel  
Internal Revenue Service

LAWRENCE M. HILL  
Dewey Ballantine LLP

LAWRENCE S. HORN  
Sills Cummins Epstein & Gross P.C.

BARBARA T. KAPLAN  
Greenberg Traurig, LLP

ELLIS L. REEMER  
DLA Piper Rudnick Gray Cary US LLP

CLE Credit:  
3 credits total: credit breakdown to be determined. This program provides transitional credit for newly admitted attorneys. Portions of this program qualify for CPE credit.

Live Program:  
$185 Member, $285 Non-member

Alcohol and drug problems put individuals, families, clients and careers at risk.

The good news: help is available

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MAY 2005 CLE REGISTRATION FORM

Creative Tax Planning Strategies for Real Estate Investments — May 2
Program   $315 Member   $455 Non-member
Audiotapes $405 Member $565 Non-member
CDs      $425 Member $585 Non-member
Videotapes $525 Member $655 Non-member
DVDs     $575 Member $725 Non-member
Materials only $145 Member $225 Non-member

Securities Enforcement in the New Era — May 3
Program  $315 Member $455 Non-member
Audiotapes $405 Member $565 Non-member
CDs     $425 Member $585 Non-member
Videotapes $525 Member $655 Non-member
DVDs    $575 Member $725 Non-member
Materials only $145 Member $225 Non-member

Sports Arbitration: Exploring the Hidden Playing Field... — May 3
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $325 Member $395 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Ethical Perils & Pitfalls... Start-Up & Small Firm Practitioners — May 5
Program $215 Member $315 Non-member
Audiotapes $225 Member $395 Non-member
CDs     $245 Member $415 Non-member
Videotapes $285 Member $485 Non-member
DVDs   $455 Member $655 Non-member
Materials only $95 Member $125 Non-member

Video Replay: ABCs of Drafting Corporate Agreements — May 6
Video Replay $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Data Outsourcing: Emerging Information Technology Issues — May 9
Program $315 Member $455 Non-member
Audiotapes $405 Member $565 Non-member
CDs     $425 Member $585 Non-member
Videotapes $525 Member $655 Non-member
DVDs   $575 Member $725 Non-member
Materials only $145 Member $225 Non-member

Current Developments in Copyright Law — May 10
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

What Every Matrimonial Lawyer Should Know About... — May 11
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Privileges in Civil Litigation — May 12
Program   $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs      $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs     $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Evolving Issues in Reinsurance & Insolvency — May 13
Program  $315 City Bar/Co-sponsoring Member $455 Non-member
Audiotapes $405 Member $565 Non-member
CDs     $425 Member $585 Non-member
Videotapes $525 Member $655 Non-member
DVDs   $575 Member $725 Non-member
Materials only $145 Member $225 Non-member

Tax Controversies: Negotiating & Resolving Disputes... IRS — May 16
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Article 81: Certified Training for Guardians, Court Evaluators... — May 17
Program $315 ABCNY Member, Non-legal professional & Family Member Guardian $455 Non-member

Investing in the Healthcare Sector in India — May 18
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Ethical Challenges in Legal Practice: Recent Developments — May 19
Program $245 Member $345 Non-member

Current Issues in Private Equity Investing — May 20
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Fund Compliance in a New Regulatory Environment... — May 23
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

Nuts & Bolts of Sentencing in New York City for State Offenses — May 24
Program $185 Member $285 Non-member
Audiotapes $295 Member $365 Non-member
CDs     $315 Member $385 Non-member
Videotapes $385 Member $455 Non-member
DVDs   $425 Member $505 Non-member
Materials only $95 Member $125 Non-member

All registrations must be prepaid by either credit card or a check made payable to: Association of the Bar.

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20

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.

Please see our cancellations & refunds policy on pg. 18.

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.abcny.org, call (212) 382-6663, fax (212) 869-4451 or mail your registration to: CityBar Center for CLE, Association of the Bar, 42 West 44th Street, New York, NY 10036.
The Association’s Thurgood Marshall Summer Law Internship Program is seeking legal employers to provide paid summer employment to promising inner-city high school students who have demonstrated an interest in the legal profession. The students will be available to work full time in your offices. In addition, they attend programs designed to give the students a glimpse of aspects of law and the legal profession, as well as guidance on college and career planning. You may have seen the article in last month’s 44th Street Notes about the great value of this program to students and their employers.

If you are interested in joining the New York law firms, corporate law departments, law schools and government agencies listed below that participated in the Marshall Internship Program last year, please contact Mariann Owens at (212) 382-6635, or by email at mowens@abcny.org

Law Firms
Arnold & Porter LLP
Chadbourne & Parke LLP
Clifford Chance LLP
Davis Polk & Wardwell
Davis Wright & Tremaine LLP
Fleming Zulack & Williamson LLP
Kaye Scholer LLP
Kelley Drye & Warren LLP
Law Office of Alfreida B. Kenny
Law Office of Carol Lilienfeld
Pillsbury Winthrop LLP
Proskauer Rose LLP
Sieff Kretz & Abercrombie
Simpson Thacher & Bartlett
Skadden Arps Slate Meagher & Flom LLP

Law Firms, Cont’d
Stroock & Stroock & Lavan LLP
Sullivan & Cromwell LLP
Thacher Proffitt & Wood LLP
Vladeck Waldman Elias & Englehard PC
Wachtell Lipton Rosen & Katz LLP
Weil Gotshal & Manges LLP
White & Case LLP
Winston & Strawn LLP

Law Departments
City University of New York
TIAA-CREF
Verizon Communications Network
The McGraw-Hill Companies, Inc.
UBS Financial

Law Schools
Brooklyn Law School
Columbia Law School
Fordham Law School

Non-Profit Organizations
The Association of the Bar of the City of New York

Government Agencies
NYS Office of the Attorney General
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Health Savings Accounts

A new savings plan that helps you pay your healthcare costs!

As an employer faced with rising medical premiums each year, it’s time to change your strategy. By implementing a High Deductible Health Plan and Health Savings Account (HSA), you can fight back. And you can use some or all of your first year’s premium savings to help fund your employees HSA to get them started. They get the benefit of provider choice and tax benefits while you benefit by reducing your expenses.

Among the benefits:
- Contributions to a health savings account are tax deductible and earn tax-free interest*
- Contributions may be made by an individual, an employer or both
- Amounts in an HSA belong to the individual and are fully portable
- Unused amounts in the account at year end remain available for future years
- 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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ADVERTISEMENT
The Association is able to offer a new benefit for our members - Health Savings Accounts. The purpose of these HSA's, created by the Medicare Prescription Drug and Modernization Act, is to help individuals save for qualified medical and retiree health expenses on a tax-free basis.

Among the advantages to members are:

- Contributions to the account are tax deductible;
- Contributions may be made by an individual, an employer or both;
- Amounts in an HSA belong to the individual and are fully portable;
- Amounts in an HSA earn tax-free interest;
- Unused amounts in the account at year end remain available for future years;
- Distributions are not taxed if used for qualifying medical expenses.

There are two aspects to taking advantage of the new opportunities presented by Health Savings Accounts. The first is purchasing a qualifying High Deductible Health Plan (HDHP), not just a health plan with a high deductible. The second is opening a Health Savings Account. To open a Health Savings Account you must satisfy the following conditions:

1) Be enrolled in a qualified High Deductible Health Plan;
2) Not be enrolled in any plan that isn’t a High Deductible Health Plan;
3) Not be enrolled in Medicare; and
4) Not be claimed as a dependent on someone else's tax return.

High Deductible Health Plans (HDHPs)

HDHPs are available to individuals under age 65 and employer groups of all sizes. A health plan qualifies as a High Deductible Health Plan if it at least satisfies the following criteria:

Individual Only Coverage
- A deductible of at least $1,000 per calendar year;
- Out of Pocket expenses due to deductibles, co-pays, etc. may not exceed $5,100 per calendar year.

Family Coverage
- A deductible of at least $2,000 per calendar year;
- Out-of-pocket expenses due to deductibles, co-pays, etc. may not exceed $10,200 per calendar year for the family;
- The HDHP may not start paying for any individual until the $2,000 family deductible is satisfied.

Please be aware that not all plans with high deductibles satisfy the qualifying criteria.

Health Savings Accounts

Once you are enrolled in a qualifying HDHP, and satisfy the other conditions outlined above, members may open their Health Savings Accounts. The HSA is a tax-exempt trust or custodial account established exclusively for the purpose of paying qualified medical expenses of a beneficiary who becomes covered under a High Deductible Health Plan. With Individual Only HDHP coverage, the maximum amount you may contribute to your HSA in 2005 is equal to the lesser of your high deductible, or $2,650. With family coverage, you may contribute an amount equal to the lesser of your high deductible, or $5,250. If you are between the ages of 55-64 you may contribute an additional $600 in 2005.

Tax deductions are pro-rated over the calendar year depending upon the number of months your HDHP is in effect. Any funds remaining in your account at year end roll over for use in future years.

Deposits into the account are deductible from your federal income taxes. Distributions are not subject to taxes if withdrawn to pay for legitimate medical expenses. Qualifying medically-related expenses that may be paid from HSA accounts include:

- Deductibles applied to provider charges
- Physician & hospital co-payments
- Coinsurance applied to provider charges
- Prescription drugs
- Dental and vision services
- When over 65, Medicare premiums
- Long term care premiums
- COBRA premiums

If you use the funds for other than healthcare-related expenses, you must pay income tax, plus a 10% penalty. Upon attaining age 65, you may use the funds for non-medically related expenses. You will only have to pay income tax on the withdrawals at that point.

If you decide that you want a Health Savings Account for yourself, your family and employees, you may contact Marsh Affinity, the Association's program administrator, at 888-88-ABCNY, for information on the Association's plan, which is through Oxford Health Plans.

Be on the lookout for information from Marsh Affinity, the City Bar's sponsored insurance program administrator, with more details on HDHPs through Oxford Health Plans. For more details, please call Marsh Affinity at 888-88-ABCNY.