Providing access to justice has been a fundamental part of the New York City Bar’s mission, and it’s a priority I fervently share. In these economic times, the difficulties of ensuring that low income New Yorkers have access to justice have been compounded. The economic fallout is particularly apparent in New York City’s Civil Court, which has had around 300,000 consumer debt-related filings in the past year alone, representing a huge increase and a growing trend. Clearly, more people are falling through the safety net and into poverty.

As we have described in previous issues of 44th Street Notes, the Association has expanded its efforts to deal with the growing need for assistance. The City Bar Justice Center has established a program with the Federal Reserve Bank of New York to help people facing foreclosure. The Justice Center’s Consumer Bankruptcy Project has expanded to help meet the need. Our Civil Court Committee, in concert with other bar associations and organizations around the City, is providing counseling and assistance to consumer debtors in Civil Court. And our Monday Night Law program, run by the Committee on Legal Services for Persons of Moderate Means, is looking to expand its weekly legal assistance clinics at the Association.

Of course, our programs and other pro bono efforts meet only a portion of the need. It is essential that legal services organizations be adequately funded and able to use their resources fully in order to handle the enormous number of issues faced by the City’s poor. In areas like consumer debt, housing, and family law, the risks of proceeding without assistance are too great.

The Association has been working to see that City, State, and federal funding for legal services be maintained and enhanced even in this budgetary climate, as the consequences of not providing the legal services will likely pose a greater cost to government than providing those in need with legal services.

In addition to supplying funding, the federal government, without spending a dime, can substantially improve the capacity and effectiveness of organizations that receive funds from the Legal...
Services Corporation (LSC). In 1996, Congress established, and has maintained, a series of restrictions limiting how LSC funds can be used and the types of cases these organizations can handle. Among other restrictions, these organizations cannot handle class actions. They cannot represent any undocumented immigrants, certain documented immigrants, or prison inmates in civil proceedings. Nor can they seek attorney’s fees even where otherwise permitted by statute. Exacerbating these and other limitations is that the restrictions apply to the organizations’ use of funds from all sources, not just the LSC.

Therefore, a legal services office cannot make use of a state grant to represent immigrants, or use any of its funds to bring a class action against a predatory lender or pursue attorney fees to curb abusive litigants preying on low-income families, so long as one dollar of its funding comes from the LSC. Some organizations have set up separate organizations to operate with non-LSC funds, incurring the burdensome administrative expense and procedural difficulties that come with such a bifurcation. Many others cannot afford to go this route.

Fortunately, there is hope that the weight of these restrictions will start to lift. President Obama recommended to Congress that it end the restrictions on bringing class actions and seeking attorney’s fees, and to lift restrictions on the use of non-LSC funds. The House of Representatives, in its appropriations bill for the 2009-10 fiscal year, lifted the restriction on LSC-funded organizations seeking attorney’s fees. The Senate Appropriations Committee has voted to lift most restrictions on the use of non-LSC funds. As this column is being written, we are awaiting action by the full Senate.

Progress is being made. We will continue to work to undo these harmful and counterproductive restrictions, so organizations that represent the poor can do so without one hand tied behind their back, and can give their clients the full range of services and representation that they deserve.
On August 5th, Robert Khuzami, Director of the Securities and Exchange Commission’s Division of Enforcement, gave his first major policy speech at the New York City Bar. He described the Commission’s major initiatives in his first 100 days and how he foresees the Commission being more efficient and successful in the future.
CITY BAR EVENTS

New York County DA Candidates’ Debate
9 WEDNESDAY, 8:30 AM – 10 AM
A panel discussion with the candidates for the Democratic nomination for District Attorney of New York County.

DA Candidates: RICHARD ABORN LESLIE CROCKER SNYDER CYRUS R. VANCE, JR.

Presented by the New York City Bar Association and the New York Law Journal
Please register online at www.nycbar.org

Preparing Small Law Firms to Handle Bigger Cases: How to Navigate the E-Discovery Minefield While Controlling Costs
Small Law Firm Luncheon
10 THURSDAY 12:30 PM – 2 PM
It is no secret smaller law firms are getting bigger cases. The challenge is how to control discovery costs down while providing defensible results. In this lunch seminar you will learn how to control discovery costs by making informed decisions from data collection (forensics) through production.

Moderator: MARK A. JOSEPHSON, CPA, CFP, CFE, Murray & Josephson, CPAs, LLC

Hospital Acquired Infections in New York – What’s Being Done to Protect the Public’s Health
10 THURSDAY, 6 PM – 8 PM
New federal and state initiatives are aimed at reducing healthcare-associated infections. The panel will address the clinical, financial, and legal issues raised by current efforts to reduce infection in healthcare facilities in New York and discuss what’s working and what can be improved.

Speakers: LINDA FENTIMAN, Professor, Pace University School of Law; JOHN MORLEY, MD, Medical Director, Office of Health Systems Management, NYS Department of Health; ASSEMBLY MEMBER RICHARD GOTTFRIED, Chair, Committee on Health, NYS Assembly; LORRAINE RYAN, RN, JD, Vice President, Legal, Regulatory, and Professional Affairs, Greater New York Hospital Association
Please register online at www.nycbar.org

Kickoff Reception
Young Lawyers Connect – First Thursdays
10 THURSDAY, 6:30 PM – 8:30 PM
Please join us to celebrate the launch of the second annual First Thursdays Series – the monthly social events where young attorneys can build their personal and professional networks. Meet fellow attorneys, CPAs, and other young professionals while enjoying beverages from Heartland Brewery, Glenrothes, and Root! 1 wine; hors d’oeuvres; and the chance to win great door prizes.

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

The Committee on Law Student Perspectives’ Annual Welcoming Program and Reception
14 MONDAY, 6:30 PM – 8 PM
Start the academic year off right by joining the Committee on Law Student Perspectives at our Annual Welcoming Reception. Members of our committee, as well as representatives from other committees, will discuss the exciting opportunities and programs offered by one of the largest and most respected bar associations in the country. Come learn about the Committee and its upcoming programs, and the Association’s other committees, opportunities for student involvement, and resources available to law students and recent graduates.
A reception will follow and light refreshments will be served. No fee required. Please RSVP to Jodi Savage, at lspchairman@yahoo.com

After Etan: The Missing Child Case That Held America Captive
16 WEDNESDAY, 6 PM – 8 PM
In the spring of 1979, on the first day six-year-old Etan Patz was allowed to walk to school alone, he left home never to be seen again. After Etan: The Missing Child Case that Held America Captive, a gripping account of the horrible event and its aftermath – including an attempt to bring a suspected perpetrator to justice – will be the subject of this program. A wine and cheese reception will be held at 6 p.m., with book discussion to follow.

Speakers:
LISA R. COHEN, Television Producer and Author, After Etan: The Missing Child Case That Held America Captive; STUART GRABOIS, former federal prosecutor who worked on the Etan Patz investigation
Please register online at www.nycbar.org

City Bar Contemplative Lawyers Group
17 THURSDAY, 7 PM
We will kick off the second year of the Contemplative Lawyers Group with a presentation by Robert Chender, director of the CLG, on the role of mindfulness meditation and contemplation practices in our law practice, including contemplative approaches to legal ethics and working with stress through meditation. There will also be a guided meditation session and an always lively discussion.
Please register online at www.nycbar.org

How to Succeed and Excel as a Reduced or Flexible Hours Associate
22 TUESDAY, 8:30 AM – 10:30 AM
Today many firms have a reduced or flexible hours policy—sometimes both—but can you really be successful as an attorney while also devoting time to important personal priorities? Come get frank advice and practical tips to address the challenges of working a reduced or flexible arrangement. Legal industry expert Linda Bray Chanow will discuss common challenges faced by associates taking part in reduced and flexible hours programs, as well as proven strategies for beating these obstacles and charting a course for success. Hear the real stories from partners who worked reduced or flexible arrangements during their associate days. Learn how these partners successfully navigated common pitfalls and prejudices and proved their value to their firms.

Introduction:
EMILY FINN, Manager of Global Associate Development, Latham & Watkins LLP

Speakers:
LINDA BRAY CHANOW, Assistant Director, Project for Attorney Retention; MARGARET ANDREWS DAVENPORT, Private Equity Group, Debevoise & Plimpton LLP;

Back to School—Another Degree May be the Key to Your Career
22 TUESDAY, 6 PM
Many attorneys either have another degree they aren’t using in their current practice or have thought about going back to school for an additional degree. While there are good reasons to pursue another degree and such additional education can be the source of career inspiration, it is not the right path for everyone in every case. Come hear panelists who have earned degrees in other disciplines share their experiences and views on when it makes sense to go back to school and which types of programs (full-time, part-time, online, certificate programs, etc.) may be right for you and your circumstances. The panel will also address the impact that additional non-legal education can have on your career, including targeting a job search, enhancing your effectiveness as an attorney, or changing careers entirely.

Moderator:
ELENA KASPI, President, Lawscope Coaching

Speakers:
STEPHANIE L. JONES, Vice President and General Counsel, WEA Enterprises, Inc.; FRANK LORD, IV, Herrick, Feinstein LLP; STEVEN J. RIZZI, Foley & Lardner LLP
The fee, which includes breakfast, is $15 for members, $25 for non-members. Please register online at www.nycbar.org

Putting ADR on Your RADAR
23 WEDNESDAY, 6:30 PM
Thinking of a career in ADR? There are steps young or transitioning attorneys can take to prepare for a career in ADR. A panel of arbitrators and mediators and the attorneys who select them will lead a discussion about honing the skills that every good arbitrator and mediator must possess, provide valuable tips for developing a successful ADR practice, and provide strategies that women and attorneys of color can use to navigate their careers in ADR.
Taking Control of Your Career: Strategic Planning for Women Starting in the Profession

24 Thursday, 6:30 PM – 8:30PM

We all face choices in our careers: where to practice, whether to specialize, whether (or when) to start a family. Achieving success requires more than working hard and quality work. This panel will address strategies for engineering your career: how to identify priorities and goals, develop a plan to achieve those goals, and adapt when you’re thrown a curve ball.

Assessing Human Rights in Iran

29 Tuesday, 6 PM

The human rights situation in Iran is complex and disturbing. The crackdown following the disputed June 12 elections compels urgent attention to human rights abuses: repression of expression and assembly, arbitrary arrest and detention, torture, and execution. The panel seeks to present perspectives from victims, human rights lawyers, and scholars as well as from the government of Iran.

JAZZ MUSICIANS!

We are looking for experienced musicians who might be interested in forming a jazz band. We hope to play gigs at the City Bar and at community venues. Please send an email to ereisneresq@aol.com, and include your instrument(s), experience level, and best days/nights that you would be available to get together.
How would you feel if you just found 45% more billable income?

Want to find out? By replacing troublesome systems with Juris® billing and accounting software, firms have seen billings rise as much as an amazing 45% for the same hours worked. Powerful business intelligence tools help assess, monitor and manage finances with total integration. Partners are more billable. Billing cycles are shorter. Every penny is a profitable penny. Visit www.juris.com or call 1-877-377-3740.
<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>8:30 AM – 10 AM New York County DA Candidates’ Debate</td>
<td>12:30 PM - 2 PM Small Law Firm Luncheon – Preparing Small Law Firms to Handle Bigger Cases</td>
<td>6 PM – 8 PM Hospital Acquired Infections in New York</td>
<td>6 PM Friday Evening Chamber Music</td>
</tr>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td>6:30 PM – 8 PM The Committee on Law Student Perspectives’ Annual Welcoming Program and Reception</td>
<td>6 PM – 8 PM After Etan: The Missing Child Case That Held America Captive</td>
<td>6 PM From Law Practice to Law &amp; Order: Making the Leap to Television</td>
<td>7 PM City Bar Contemplative Lawyers Group</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
</tr>
<tr>
<td>8:30 AM – 10:30 AM How to Succeed and Excel as a Reduced or Flexible Hours Associate</td>
<td>6:30 PM Putting ADR on Your RADAR</td>
<td>6:30 PM Taking Control of Your Career: Strategic Planning for Women Starting in the Profession</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 PM Assessing Human Rights in Iran</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# CLE COURSES

## SEPTEMBER 2009

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6 PM – 9 PM</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Video Replay: Starting Your Own Firm: Is It Something You Should Think About and Prepare For?</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3.0 Credits* (non-transitional)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>6 PM – 9 PM</td>
<td>Residential Real Estate Closings: What You Need to Know from Pre-Contract to Closing (Day 1)</td>
<td>6.0 Credits* (both days)</td>
<td>6 PM – 8 PM</td>
<td>Navigating European Data Protection Laws in U.S. Litigation: Best Practices &amp; Practical Solutions</td>
<td>2.0 Credits*</td>
</tr>
<tr>
<td></td>
<td>9 AM – 12 PM</td>
<td>Super Search Engine Strategies</td>
<td>3.0 Credits*</td>
<td>6 PM – 9 PM</td>
<td>Supreme Court &amp; Federal Legislative Developments in Employment Law in 2009</td>
<td>3.0 Credits*</td>
</tr>
<tr>
<td></td>
<td>1 PM – 4 PM</td>
<td>Investigative Research Strategies</td>
<td>3.0 Credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 PM – 9 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>9:30 AM – 5:45 PM</td>
<td>&quot;Litigation Skills Workshop: Taking &amp; Defending Depositions (Day 1)</td>
<td>15.5 Credits* (both days)</td>
<td>5 PM – 8 PM</td>
<td>6th Annual Institute on Corporate, Securities &amp; Related Aspects of Mergers &amp; Acquisitions (Day 1)</td>
<td>8.5 Credits* (Day 3 only)</td>
</tr>
<tr>
<td></td>
<td>6 PM – 9 PM</td>
<td>Residential Real Estate Closings (Day 2)</td>
<td>3.0 Credits* (Day 2 only)</td>
<td></td>
<td>6 PM – 8 PM</td>
<td>6th Annual Institute on Corporate, Securities &amp; Related Aspects of Mergers &amp; Acquisitions</td>
</tr>
<tr>
<td></td>
<td>9:30 AM – 3:45 PM</td>
<td>&quot;Litigation Skills Workshop (Day 2) 6.5 Credits* (Day 2 only)</td>
<td>6 PM – 9 PM</td>
<td>8:50 AM – 6 PM; 6 PM – 8 PM (Reception)</td>
<td>6th Annual Institute on Corporate, Securities &amp; Related Aspects of Mergers &amp; Acquisitions</td>
<td>8.5 Credits* (Day 2 only)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 PM – 9 PM</td>
<td></td>
<td></td>
<td>6 PM – 8:30 PM</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Ethics of E-Discovery: Best Practices &amp; How to Avoid Civil &amp; Criminal Sanctions</td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 PM – 9 PM</td>
<td>The Business of Being Green: How Emerging Laws Make Sustainability an Imperative</td>
<td>3.0 Credits*</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 PM – 9 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*This live program provides transitional/non-transitional credit to all attorneys. **Not available for the Passport Series.
Introduction to Collaborative Law: An Alternative to Litigation
22 TUESDAY, 6 PM – 9 PM

Collaborative Law, also known as Collaborative Practice, is a dispute resolution process in which the parties and their lawyers commit to negotiating a resolution of a dispute collectively, without taking the matter to court. It is increasingly appealing to divorcing couples as a less adversarial approach to divorce settlements. This program will provide an introduction to the Collaborative Practice process, including the nuts and bolts of the process, practice groups, and how it differs from other methods of dispute resolution.

More and more, especially since the economic crisis, couples are recognizing the benefits of working with Collaborative lawyers in an out-of-court settlement process structured to produce a result uniquely tailored to their family’s particular needs and interests.

While negative emotions, such as anger and fear, are common in divorce and do not disappear in the Collaborative process, Collaborative couples are finding they can nonetheless reach workable and lasting solutions despite these difficult feelings and, indeed, are in the best position to do so. Collaborative Practice is a way for lawyers to use their unique problem-solving abilities to help their clients find their own solutions.

Program Chair:
ELIZABETH A. REINGOLD, The Reingold Practice, LLC

Faculty:
BARRY BERKMAN, Berkman Bottger & Rodd, LLP; KATHERINE EISOLD MILLER, Westchester Family Law

Co-Sponsored by The New York Association of Collaborative Professionals

Credit: 3.0 total: 2.0 PP & 1.0 skills*

6th Annual Institute on Corporate, Securities & Related Aspects of Mergers & Acquisitions
23 WEDNESDAY, 5 PM – 8 PM; 24 THURSDAY, 8:50 AM – 6 PM, RECEPTION 6 PM – 8 PM; 25 FRIDAY, 8:30 AM – 5:15 PM

This Institute provides an in-depth analysis of significant corporate, securities, and related issues arising in mergers and acquisitions. Each session is structured to provide an analysis of important and current M&A issues by some of the world’s most experienced M&A lawyers, judges, government officials, and investment bankers. On Wednesday evening, there will be an Introduction to Basic M&A Legal Principles for attendees who are not experts in this field.

Penn State Dickinson School of Law is handling registration for this program. To register, call 814.867.2239 or register online at www.law.psu.edu/corporate09/

Program Co-Chairs:
H. RODGIN COHEN, Sullivan & Cromwell, LLP; SAMUEL C. THOMPSON, JR, Professor of Law & Director, Center for the Study of Mergers and Acquisitions, Penn State Dickinson School of Law

For a complete list of the faculty, please visit our website at www.nycbar.org/CLE/pdf/09_09/092309.pdf

Co-Sponsored by The Center for the Study of Mergers & Acquisitions, Penn State Dickinson School of Law

Credit: 20.0 total: 13.0 PP, 6.0 skills & 1.0 in ethics* (all 3 days)

The Business of Being Green: How Emerging Laws Make Sustainability an Imperative
29 TUESDAY, 6 PM – 9 PM

Sustainability is becoming a household word and part of the critical agenda for the new federal administration. Both New York City and State have been in the forefront of implementing sustainability programs that encourage state agencies, public benefit corporations and authorities, and corporations to do their part to green the environment. Corporate America is rapidly recognizing the economic benefits of joining the green movement, the practical challenge of imminent federal carbon cap and trade legislation, and the marketing value in being perceived as “green.” This program is an essential primer on how to help prepare your clients for the coming legal storm of federal and state regulations.

Don’t miss this opportunity to hear from proven leaders regarding energy and climate change, product toxicity avoidance, and other critical developments. Government and industry experts will examine sustainability guidelines, tax and other incentives, ways businesses can position themselves to avoid liability, and much more.

Program Co-Chairs:
EILEEN D. MILLETT, Gibbons P.C.; STANLEY N. ALPERT, Constantine Cannon, LLP

Faculty:
RICHARD LECHNER, Vice President, Energy & Environment, IBM Corporation; KATHRYN MACRI, Interagency Policy Coordinator & Corporate Sustainability Officer, NYS Environmental Facilities Corporation; ANDREW S. RATZKIN, Vice President & General Counsel, Burns & Roe

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
Enterprises, Inc.; CARTER H. STRICKLAND, JR, Senior Policy Advisor for Air & Water, Mayor’s Office of Long Term Planning & Sustainability
Co-Sponsored by Environmental Law Institute

**Credit: 3.0 PP**

### ESTATE PLANNING

**Significant Changes to the Statutory Power of Attorney: Are You Prepared?**

17 THURSDAY, 6 PM – 8 PM

On September 1, 2009, a new statutory power of attorney form becomes effective in New York State. This program will discuss the significant changes made to the statutory form as well as other modifications in the law relating to powers of attorney. The discussion will include the new powers authorized in the statutory form, the major gifts rider, the requirement that agents sign powers and the ability to appoint a person to supervise the agent. Practical issues such as the number of powers signed and who holds the powers will be addressed.

**Program Chair:** KEVIN J. FARRELLY, Law Offices of Kevin J. Farrelly

**Faculty:**
- HON. JOHN M. CZYGIER, JR, Surrogate, Suffolk County; SANFORD J. SCHLESINGER, Schlesinger Gannon & Lazetera LLP

**Credit: 2.0 PP**

### ETHICS

**Ethical Considerations for Corporate Investigations: Updates 2009**

17 THURSDAY, 6 PM – 9 PM

This annual updates program will explore current issues and recent developments relating to ethical duties and responsibilities of attorneys and other participants in corporate internal investigations involving public companies. These issues will be discussed from the point of view of counsel for the corporation, investigating counsel, and government representatives. The presentation will touch on a broad array of ethical issues, devoting special attention to current developments concerning prosecution and regulatory strategies, conflicts of interest, protection and waiver of the attorney-client privilege, and counseling of employee witnesses. This program will focus on the implications of the 2009 adoption of the New York Rules of Professional Conduct (replacing the New York Code of Professional Responsibility) upon corporate investigations. It will also consider the obligations imposed on attorneys under the Sarbanes-Oxley legislation of 2002.

**Program Chair:** FRANK H. WOHL, Lankler Siffert & Wohl LLP

**Faculty:**
- PETER BRESNAN, Simpson Thacher & Bartlett LLP; DAVID E. BRODSKY, Cleary Gottlieb Steen & Hamilton LLP; PAMELA ROGERS CHERIGA, Allen & Overy LLP;
- KATHERINE M. CHOO, Senior Counsel, Litigation & Legal Policy, GE; BRUCE A. GREEN, Louis Stein Professor of Law, Fordham University School of Law;
- RAYMOND J. LOHIER, Deputy Chief, Securities and Commodities Fraud Task Force, U.S. Attorney’s Office, Southern District of New York; KAREN PATTON SEYMOUR, Sullivan & Cromwell LLP

**Credit: 3.0 ethics**

---

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice*
discuss “best ethical practices” in the field of e-discovery.

This program will discuss preservation and production obligations: who is responsible?, vendor choices: what conflicts rules apply?, liability for errors in the electronic discovery process, standards of competence for counsel, and ethics of metadata.

Program Instructors:
STEVEN C. BENNETT, Jones Day; ADAM COHEN, Senior Managing Director, FTI Technology; HON. FRANK MAAS, U.S. Magistrate Judge, Southern District of New York

Credit: 2.5 ethics*

LABOR & EMPLOYMENT

Supreme Court & Federal Legislative Developments in Employment Law in 2009: What You Need to Know in This Changing Landscape
15 TUESDAY, 6 PM – 9 PM

Federal employment law is changing and developing at an unprecedented pace. The 2008-2009 term of the U.S. Supreme Court included several watershed decisions that will have dramatic impact on broad areas of employment law, including Ricci v. DeStefano, 14 Penn Plaza LLC vs. Pyett, AT&T Corp. vs. Hulteen, Crawford vs. Metropolitan Government, and Gross v. FBL Financial Services, Inc. At the same time, Congress has passed or proposed far-reaching employment law statutes, such as the Ledbetter Fair Pay Act, the Paycheck Fairness Act, the Arbitration Fairness Act, and the Employee Free Choice Act. In light of these developments it is critical that employers and employment law practitioners understand these legal developments and their potential import. A panel of experienced employment lawyers from both the management and plaintiff sides of the employment bar will explain these developments and debate their implications.

Program Chair:
JYOTIN HAMID, Debevoise & Plimpton LLP

Faculty:
OSSAI MIAZAD, Outten & Golden LLP; BERTRAND B. POGBREIN, Little Mendelson P.C.; MILTON L. WILLIAMS, JR., Vladeck, Waldman, Elias & Engelhard, P.C.

Credit: 3.0 PP*

LAW FIRM PRACTICE MANAGEMENT

Video Replay: Starting Your Own Firm: Is It Something You Should Think About and Prepare For?
10 THURSDAY, 6 PM – 9 PM

Do you have what it takes to start your own firm? Was your decision to start a law firm based on a drastic career change or circumstances beyond your control? What is your game plan, and how are you planning on facing the downturn in the economy? If you’re thinking of venturing out on your own, there are a multitude of issues to consider, ranging from who your clients will be, to whether to focus on an area of practice or diversify in order to address economic conditions, to what your letter of engagement should contain.

Program Chair:
OLIVERA MEDENICA, Wahab & Medenica

Faculty:
DAMIEN MATTHEW BOSCO, Bosco Law Firm, LLC; DEBORAH G. ROSENTHAL, Rosenthal, Attorneys at Law P.C.; RICHARD A. ROTH, The Roth Law Firm PLLC; ALLA ROYTBerg, Law Offices and Mediation Center of Alla Royberg; JEREMY M. SALAND, Crothy Saland LLP

Credit: 3.0 total: 2.5 PM & 0.5 ethics; (non-transitional)

The Cybersleuth’s Guide to the Internet: Super Search Engine Strategies for the Legal Professional
15 TUESDAY, 9 PM – 12 PM

Do lawyers have a “duty to google”? In a recent decision the court was incredulous that the plaintiff failed to “google” the missing defendant as part of his due diligence process and upheld the defendant’s claim of insufficient service of process. Effective Internet searching may now need to become part of every lawyer’s due diligence routine.

At this seminar, attendees will learn the best search engine strategies (including advanced search features at Google and other search engines) that will assist them in meeting their research obligations. These search engine strategies also serve as essential building blocks for conducting effective research at other Web sites.

Find out how the Internet really works: Identify and use the best search engines, develop super search engine strategies, explore meta-search sites, key into Google’s “advanced search” menu, identify fundamental distinctions between the “visible” and the “invisible” Web, locate information from the “invisible” Web, learn tools to search “smarter not harder,” and uncover ways to find deleted Web pages.

Special Feature: Attendees will receive a copy of Carole Levitt and Mark Rosch’s recently revised 330-page book, The Cybersleuth’s Guide to the Internet, (IFL Press, 2009)—A $59.95 VALUE! The same book is used for both Cybersleuth’s Guide to the Internet programs, so attendees of both will only receive one book.

Program Co-Instructors:
CAROLE LEVITT, President, Internet For Lawyers; MARK ROSCH, Vice President, Internet For Lawyers; Co-authors, The Lawyer’s Guide to Fact Finding on the Internet (American Bar Association, 2006) & The Cybersleuth’s Guide to the Internet (IFL Press, 2009)

Credit: 3.0 PP*

The Cybersleuth’s Guide to the Internet: Investigative Research Strategies for the Legal Professional
15 TUESDAY, 1 PM – 4 PM

A lawyer’s research involves more than finding cases and statutes. Whether you’re a transactional lawyer looking for information on a company officer, a matrimonial attorney searching for a spouse’s assets, or a litigator looking for a missing witness, the Internet can be an indispensable source of information. Instead of turning to experts, skip tracers, and private investigators, seminar attendees will learn how to be their own cybersleuth. At this...
program you will learn how to search like a private investigator, how to access information from public records and publicly available data quickly and easily, how to access expensive databases—for free!, and why social networking sites and Twitter are becoming the latest and greatest investigative tools for obtaining useful background information.

If you attend both Cybersleuth’s Guide to the Internet seminars, this program, Investigative Research Strategies, will cost only $156 member & $244 non-member (a 20% discount)!

Program Co-Instructors:
CAROLE LEVITT, President, Internet For Lawyers; MARK ROSCH, Vice President, Internet For Lawyers

Credit: 3.0 PP*

Litigation Skills Workshop: Taking & Defending Depositions with Professor Henry Hecht

21 MONDAY, 9:30 AM – 5:45 PM; 22 TUESDAY, 9:30 AM – 3:45 PM

Over 98% of all civil cases filed in federal court are resolved short of trial. When a litigator questions a witness today, it is far more likely to be in a law office at a deposition than in a courtroom at trial. By attending this workshop, you will have both the opportunity to improve your skills and the ability to re-tool your practice by building new skills. Working in small groups led by two members of our experienced faculty, you will take turns preparing, deposing, and defending witnesses in a mock case. After each performance, the faculty will provide you with individual feedback. Just as you will learn by doing, you will also learn by critically observing others. In addition to the simulation exercises, the faculty will demonstrate how to take and defend a deposition before the entire group. This skills-building program will prove beneficial to attorneys of all experience levels seeking to master the art and science of preparing for, taking, and defending depositions.

Special Feature: All participants will receive two advance, pre-publication chapters, “Taking the Deposition” and “Defending at a Deposition” from Mr. Hecht’s book Effective Depositions (Second Edition, ABA, forthcoming 2009). These “hot off the press” materials will include the latest case law and amendments to the Federal Rules as well as helpful checklists.

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

Litigation: Best Practices and Practical Solutions

16 WEDNESDAY 6 PM – 8 PM

Under European data protection laws, evidence that resides overseas, even if critical to a case, may potentially not be handed over to a United States investigation. Moreover, the activity required to identify, preserve, examine, transfer, and disclose data may violate European data privacy laws and blocking statutes. A prominent panel of attorneys will examine the nature and scope of the protected rights and discuss practical solutions for handling international discovery.

Program Chair:
DENISE E. BACKHOUSE, Morgan, Lewis & Bockius LLP

Faculty:
ALEXANDER B. BLUMROSEN, Bernard-Hertz-Béjot; BERNARD A. BOIT, Principal, KPMG LLP; JOHN F. CURRAN, Executive Managing Director and Deputy General Counsel, Stroz Friedberg; JEFFREY S. JACOBSON, Debevoise & Plimpton LLP; CYNTHIA O’DONOGHUE, Reed Smith LLP; HON. ANDREW J. PECK, U.S. Magistrate Judge, Southern District of New York;

KENNETH N. RASHBAUM, Attorney/Consultant

Credit: 2.0 PP*

Navigating European Data Protection Laws in U.S. Litigation: Best Practices and Practical Solutions

LITIGATION

THE SPORTS CLUB/LA - ROCKEFELLER CENTER WELCOMES THE NYC BAR ASSOCIATION AS A NEW CORPORATE PARTNER.

For a limited time, join with a $0 Initiation Fee

Located in the heart of Rockefeller Plaza, The Sports Club/LA is a 90,000 sq. ft. health and fitness complex designed to fulfill your every fitness need.

For NYC Bar Association Members - Applicable to Health and Executive Membership

45 Rockefeller Plaza • New York
www.TheSportsClubLA.com
212.218.8600

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
Registration is limited to 66 people and four people per firm. Advance registration is strongly advised. Registration is not guaranteed if you register later than one week prior to the program.

Program Instructor:
HENRY L. HECHT, Professor, University of California, Berkeley, School of Law (Boalt Hall) & Principal, The Hecht Training Group

For a full listing of coaches please visit our website, www.nycbar.org/CLE/show_course.php?cnameid=2128

Co-Sponsored by West Court Reporting Services with LiveNote Technology

**This program is exempt from the Passport Series.

Credit: (both days): 15.5 total: 14.5 skills & 1.0 ethics*

-----------------------------------------------

Asset Forfeiture Proceedings Are on the Rise: Do You Know How to Protect Your Client?

30 WEDNESDAY, 6 PM – 9 PM

Asset forfeiture issues are becoming increasingly important in white collar criminal cases in light of the various high profile financial services crimes that have dominated the news in recent months. A significant number of these cases have involved property issues (e.g. mortgaged-backed securities, CDOs, etc.). This course, taught by an expert faculty, provides an overview of the nuts and bolts of asset forfeiture as well as cutting-edge issues, including the impact on foreclosures relating to the government’s efforts to forfeit property, the great myth of the forfeiture judgment—how the government has used it and why it is a fiction, and the government’s use of asset forfeiture as leverage in criminal cases.

Program Co-Chairs:
STEVEN G. KOBRE, Kobre & Kim LLP;
STEVEN W. PERLSTEIN, Kobre & Kim LLP

Faculty:
SHARON COHEN LEVIN, Chief, Asset Forfeiture Unit, U.S. Attorney’s Office, Southern District of New York; DAVID A. MARKOWITZ, Bureau Chief, Investor Protection Bureau, Office of NYS Attorney General

Credit: 3.0 PP*
Committees Seeking New Members

The **Administrative Law Committee** is interdisciplinary, and members include sitting Administrative Law Judges, employees at city and state agencies, attorneys in private practice, and in-house counsel. The committee’s plans for the coming year include hosting informal talks by experts, sponsorship of a CLE, and commenting on proposals relating to the practice of administrative law. To apply, please contact the Chair, Adrienne Ward, at adriennemarieward@yahoo.com or 347.723.8557.

The **Aeronautics Committee** consists of plaintiff and defense attorneys, in-house counsel for large commercial aviation carriers, aviation-related transactional lawyers, pilot lawyers, governmental lawyers, and aviation-related insurance adjusters. The interests of the group are equally broad and include discussions/lectures with members of the FAA, NTSB, private pilots, aeronautical engineers, and more. To apply, please contact the Secretary, Orla Brady, at obrady@kreindler.com or 212.973.3431.

This year the **AIDS Committee** anticipates working on issues including changes in immigration regulations affecting people living with HIV, criminalization of conduct based on HIV status, the impact of changes in the Americans with Disabilities Act on people living with HIV, and discrimination and confidentiality issues. To apply, please contact the Chair, Bebe Anderson, at banderson@lambdalegal.org or 212.809.8585 x218.

The **Bioethical Issues Committee** studies and discusses the ethical, moral, and legal implications of advances and issues in the biomedical field, including but not limited to assisted suicide, genetic testing, human subject research, and transplantation. This past year the Committee focused its attention on stem cell research legislation in New York, organ donation, and allocation of medical equipment. To apply, please contact the Chair, Beverly Jones, at 212.788.4344 or bjones1@health.nyc.gov.

The **Drugs and the Law Committee** is currently focusing on projects dealing with the Federal Controlled Substances Act, and the related issues of pain management and the government’s determinations regarding the legalization, dispensing, and use of pharmaceuticals and non-pharmaceutical drugs. To apply, please contact the Chair, Susan Guercio, at susan.guercio@nychhc.org.

The **Federal Legislation Committee** is addressing current issues facing the Obama administration, Congress, and the federal courts, including proposals for new financial regulation, felon disenfranchisement statutes, election reform, same-sex marriage, national security, and DNA testing in criminal cases. To apply, please contact the Chair, Sarah Cave, at 212.837.6559 or cave@hugheshubbard.com.

The **Juvenile Justice Committee** is currently working on a number of projects, including exploring issues of education and juvenile justice; assessing the PINS system in New York, five years after it was moved from probation to ACS; and developing a book for judges on the treatment of lesbian and gay youth in the juvenile justice system. To apply, please contact the Chair, Cynthia Godsoe, at cynthia.godsoe@brooklaw.edu.

The primary focus of the **Committee on Legal Services for Persons of Moderate Means** is managing the Monday Night Law program, which provides no-cost legal counseling for people of moderate means. It also considers other ways of serving the legal needs of this population. The Committee meets once per month on a weekday morning. Participation in Monday Night Law is not required. To apply, please contact the Chair, Patience Jones, at pjones@patiencejones.com.

The **Committee on Military Affairs and Justice** has a long record of involvement in issues that affect the services, including the interrogation of detainees, providing Congressional testimony, and providing observers to hearings in Guantanamo. Committee interests range from the appropriate standards for the treatment of prisoners to how best to ensure military personnel stationed abroad can vote in the presidential elections. The Committee frequently meets with members of the Executive, JAGs, key Congressional committees, DOD policy makers, and independent policy groups. To apply, please contact the Chair, Myles Bartley, at 212.696.6098 or mbartley@curtis.com.

The **Personal Income Taxation Committee** addresses current legal developments in personal income tax practice. This fall it will explore ethical topics and revisions needed in the handling of tax appeals in New York City, and will discuss the utility of Bank Secrecy Act data in determining the tax implications of business transactions. Committee members also participate in a Tax Clinic as part of the City Bar’s Monday Night Law program. To apply, please contact the Chair, Gilda Mariani, at marianig@dany.nyc.gov. or the Secretary, Andrew Cohen, at Andrew.Cohen@Marcumllp.com.

The **Sex and Law Committee** addresses issues pertaining to gender and the law in a variety of areas, such as violence against women, reproductive rights, gender discrimination, poverty, matrimonial and family law, employment law, and same-sex marriage. The upcoming agenda for the Committee will include the issues of paid family leave, reproductive rights in New York State, and civil rights for LGBT individuals. To apply, please contact the Chair, Rachel Braunstein, at rachelbraunstein@yahoo.com.

The **United Nations Committee** this year will engage in a year-long project to address climate change issues, in cooperation with other committees of the City Bar. It will also address the implementation of the principle of self-determination by the United Nations as well as issues related to the rights of women. To apply, please contact the Chair, Karyn Thomas, at thomkatbus@aol.com.

www.nycbar.org

SEPTMBER 2009 | 44TH STREET NOTES | 15
ART LAW
Letter to the NYS Legislature regarding A.6959 on deaccessioning by museums located in New York State, urging that the Legislature take the time to consult further with various stakeholders on the possible effects of the bill and consider elimination or clarification of certain provisions of the bill.

CHILDREN, COUNCIL ON
Report in support of A.7805 that would revise statutory language by replacing the term “law guardian” with “attorney for the child” to reflect more accurately the role of attorneys who represent children.
Letter to Governor Paterson urging that the number of Family Court judges in New York City and New York State be increased to address the long delays children face in the foster care system.

CIVIL COURT
CONSUMER AFFAIRS
Report supporting the Consumer Credit Fairness Act (A.7558/S.4398) with suggested modifications, which would amend the CPLR to ensure that persons who are sued in consumer credit transactions receive the benefit of fair procedures.

CIVIL RIGHTS
Statement outlining a number of concerns about possible racial bias in the New York Police Department’s stop-and-frisk practices and the NYPD’s refusal to release data publicly so that a meaningful determination can be made about whether law enforcement is in fact discriminating on the basis of race.
Statement in support of S.427 (State Secrets Protection Act) and H.R.984 (State Secrets Protection Act of 2009), which would establish procedures and legal standards to govern application of the state secrets privilege.

COMMERCIAL LAW AND UNIFORM STATE LAWS
Report providing comments on the Permanent Editorial Board for the Uniform Commercial Code proposed commentary on sections 4A-502(d), which deals with creditor process served on a receiving bank, and 4A-503, which deals with injunctions or restraining orders with respect to funds transfers under the Uniform Commercial Code.

CONSTRUCTION LAW
The report, “Modernizing the State’s Public Procurement Laws,” urges that New York State’s public construction laws be updated and that the current economic landscape warrants a productive public discussion about modernizing New York’s public construction procurement laws.

CORPORATION LAW
Report recommending the adoption by New York State of the Revised Uniform Limited Liability Company Act (RULLCA) in substantially the same form approved by the National Conference of Commissioners on Uniform State Laws and the American Bar Association.

CORRECTIONS LAW
Report expressing opposition to the New York City Department of Corrections’ proposals for variances that would reduce the schedule for inmate visits and inmates’ outdoor recreation schedule. These proposed variances, the report argues, could impede inmate access to legal counsel, deter family visits, and negatively affect the morale of the inmate population.

CORRECTIONS LAW
LABOR AND EMPLOYMENT LAW
Report supporting A.3131-A/S.4406-A (with suggested modifications), which would require changes to the Department of Correctional Services’ (DOCS) web-based Inmate Population Information Search (the “Look-Up”). The Look-Up creates enormous barriers to reentry into the workforce and vocational studies for people who have served a term in prison.

CRIMINAL COURTS
CRIMINAL JUSTICE OPERATIONS
Report on the Merger of the Bronx Supreme and Criminal Courts evaluates the effects of the 2004 merger of the Supreme and Criminal Courts in Bronx County after the first five years and draws conclusions concerning its effectiveness and potential expansion to other jurisdictions.

DOMESTIC VIOLENCE
Report supporting A.456-C/S.3438-C, which would allow certain incarcerated survivors of family or household violence to apply for merit time and increased merit time allowances as long as the inmate was subjected to substantial physical, sexual, or psychological abuse; the abuse was inflicted by a member of their same family or household; and the abuse was a substantial factor in causing them to commit the crime.

EDUCATION AND THE LAW
Report concerning what the New York State Legislature should consider as it debates the future of mayoral control of the New York City school system.

ESTATE AND GIFT TAXATION
Letter to Congress urging that the state “death tax credit” be reinstated at the federal level. Without the credit, the letter argues, states must either forego their estate tax revenues entirely or maintain those revenues at the cost of increased administrative burdens and taxpayers decamping to states with no state estate tax.

FINANCIAL REPORTING
Letter to the SEC in response to Release No. 33-8982, Roadmap for the Potential Use of Financial Statements Prepared in Accordance with International Financial Reporting Standards by U.S. Issuers. Though supporting the basic proposition, the letter states that the proposed roadmap requires early use program participants to maintain parallel accounting standards until they are assured that the Commission
will not mandate a return to U.S. GAAP and that the enormous expense associated with this change in accounting standards will deter meaningful participation in the early use program.

FUTURES AND DERIVATIVES REGULATION
Letter to the Federal Trade Commission providing comments on the revised proposed Rule regarding prohibitions on market manipulation and false information in the wholesale petroleum markets.

Letter to the Commodity Futures Trading Commission commenting on the Concept Release on Whether to Eliminate the Bona Fide Hedge Exemption for Certain Swap Dealers and Create a New Limited Risk Management Exception for Speculative Position Limits. Though designed to improve market transparency and reduce systemic risk, the letter argues that the elimination of the bona fide hedge exemption for swap activity is a drastic step that should not be taken without conclusive proof of a problem that would be solved by such action.

INFORMATION TECHNOLOGY LAW
Letter to the NYS Legislature urging that given the FTC’s active work on proposed nationwide standards for the online advertising industry relating to the collection of information online and addressing first party or intra-site collection and use of data and online contextual advertising, the Legislature should defer to the FTC and hold off action on A.1393, the Online Consumer Protection Act.

LEGAL ISSUES PERTAINING TO ANIMALS
Report supporting with recommendations H.R.891/S.3610, which would amend the Dog and Cat Fur Prohibition Enforcement Act to require labeling of all fur products regardless of value. The report supports the legislation as it enables consumers to make informed choices, it is necessary to protect public health, and it provides protection to a species currently excluded from the protection of the existing regulatory network.

Report expressing support for A.8163, which would amend the Agriculture and Markets Law by adding a new Section 353-e to make it unlawful for any person to confine breeding sows, calves raised for veal, or egg-laying hens in a manner that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.

Report opposing A.7285-B/S.5392-A, which provides that no person or business that buys, sells, or offers for sale dogs or cats to the public or at wholesale shall possess or own more than 50 dogs or cats with intact sexual organs over the age of four months.

Letter expressing concern with the ongoing efforts to dismantle the worldwide moratorium on commercial whaling at the International Whaling Commission. The letter argues that the moratorium, if implemented, could result in increased killing of whales and further diminishing already depleted stocks.

Report expressing support for A.4777/S.5423, which would amend section 11-1111 of the New York State Environmental Conservation Law to permit each county in the state to enact local laws or ordinances to restrict, limit, or prohibit trapping within its municipal limits.

Report in support of A.6158-A/S.4278, which would require the establishment of an animal population control program and fund in New York City. The proposed legislation would assure that the funds received for the program are used to expand the provision of low-cost or free spay and neuter services.

LESBIAN, GAY, BISEXUAL AND TRANSGENDER RIGHTS
Report in support of the Marriage Equity Act (A.7732/S.4401), which would permit New Yorkers to marry regardless of a spouse’s sex.

Report supporting the Uniting American Families Act of 2009 (H.R 1024/S.424), which would permit U.S. citizens and legal residents in same-sex relationships to sponsor their partners for immigration. The report notes that the Bill needs to be updated to recognize couples who have entered into marriage or equivalents, such as civil unions.

NATIONAL SECURITY AND THE RULE OF LAW, TASK FORCE
Amicus Brief: Kiyemba v. Obama filed with the U.S. Supreme Court. The brief argues that the courts’ power to end unlawful detention is a critical and necessary component of the Court’s earlier ruling in Boumediene. If courts do not have the ability to order a meaningful remedy in the face of unlawful executive detention, then the Writ of Habeas Corpus and the Article III power of the courts is undermined.

NON-PROFIT ORGANIZATIONS
Report supporting, with suggested modifications, New York’s adoption of the Uniform Prudent Management of Institutional Funds Act (UPMIFA) as it would (1) provide modern articulation of the prudence standards for the management and investment of charitable funds and for endowment spending and (2) incorporate certain recent revisions with respect to charitable trusts.

PROFESSIONAL AND JUDICIAL ETHICS
Formal Opinion 2009-4 considers under what circumstances a law firm or attorney may make a payment to a pro bono organization to obtain pro bono assignments, and under what circumstances a lawyer in such an organization may seek and accept such a payment. The Opinion concludes that payments to a pro bono organization to obtain pro bono assignments may be made without violating the Rules provided that (1) the fees or dues paid by the law firm or lawyer to the pro bono organization are “usual and reasonable” and (2) the pro bono organization charging such fees or dues is a “qualified legal assistance organization” as defined by Rule 7.2(b)(1)-(4).

SOCIAL WELFARE LAW
Report expressing support for A.1827, which would enhance the opportunity of public assistance recipients to participate in education and training by expanding the number of educational activities that would count toward meeting a public assistance recipient’s work requirements.

TRUSTS, ESTATES AND SURROGATES’ COURT
Currently, in order to create a valid lifetime trust under EPTL 7-1.17, there must be a writing that is executed by the initial creator and at least one trustee, either in the presence of two witnesses or acknowledged before a notary public. The requirement of the signature of the initial creator can lead to unfavorable consequences and questions as to the validity, which would lead to more trusts being created outside New York State and have a negative fiscal impact on New York. The report proposes an amendment to the EPTL 7-1.17 that would resolve these issues.
New Executive Committee Members

**VICE PRESIDENT**

Barry A. Cozier is a member of the litigation and labor and employment practices at Epstein, Becker & Green, P.C. He represents individuals and institutions in business and commercial litigation, employment law litigation, and federal and state appeals. Previously, Judge Cozier was a member of the New York State judiciary and most recently served as an Associate Justice of the Appellate Division, Second Department. Currently, he serves as a member of the Mayor’s Advisory Committee on the Judiciary and the New York State Judicial Screening Committee for the First Department, and on the Board of Trustees of the Center for Employment Opportunities. Judge Cozier has served on the Executive Committee, chaired the Committee on Children and the Law, and served as a member of numerous other City Bar committees.

Debra L. Raskin is a partner at Vladeck, Waldman, Elias & Engelhard. Previously, she served as law clerk to Hon. Lee P. Gagliardi of the United States District Court, Southern District of New York and as a New York State Assistant Attorney General in the Civil Rights Bureau. Ms. Raskin is a Fellow of the American College of Trial Lawyers, has taught at Columbia and Fordham Law Schools, and has lectured and written on employment law matters for the New York State Bar Association and the American Law Institute/American Bar Association. She has served as Chair of the City Bar’s Labor and Employment Law Committee and as a member of the Civil Rights Committee and Federal Courts Committee.

**CLASS OF 2013**

Michael Byowitz is a partner at Wachtell, Lipton, Rosen & Katz and focuses on antitrust law and policy, principally advising major domestic and multinational corporations on mergers, acquisitions, joint ventures, and corporate takeovers. Previously, Mr. Byowitz was a Trial Attorney and Senior Trial Attorney at the Antitrust Division, U.S. Department of Justice. Mr. Byowitz represents the American Bar Association Section of International Law in the ABA House of Delegates and formerly served as Chair of the Section as well as Chair of the Section’s International Antitrust Law Committee. Mr. Byowitz just completed his term as Chair of the City Bar’s Council on International Affairs and also chaired the Antitrust and Trade Regulation Committee.

Elizabeth Donoghue is a partner at Himmelstein McConnell Gribben Donoghue & Joseph. She has an extensive background representing tenants, and also handles litigation matters relating to shareholders and unit owners. Ms. Donoghue has also worked at the Municipal Employees Legal Services Plan, Bronx Legal Services, and the Lower East Side Local Enforcement Unit of MFY Legal Services. A former Chair of the City Bar’s Housing Court Committee, Ms. Donoghue has also served on the Judiciary Committee, Committee on Cooperatives and Condominium Law, and the Task Force on Town and Village Courts.

David E. McCraw is a Vice President and Assistant General Counsel for The New York Times Company. Mr. McCraw deals primarily with litigation of commercial disputes, libel cases, and Freedom-of-Information and court access issues. He has chaired the City Bar’s Committee on Communications and Media Law, a joint City Bar – State Bar Task Force on the Revised Uniform Arbitration Act, and the Media Law Resource Center’s Committee on International Law.

**The City Bar Goes Green**

The City Bar has recently created a Green Team, a volunteer group of employees who meet monthly to discuss ways in which the organization can reduce its impact on the environment. Within its first few months, the group has already taken on several initiatives to reduce paper use and increase recycling at the House of the Association. Though mostly minor changes, these initiatives have helped the City Bar save money and greatly reduce waste. For more information about the Green Team, please contact Gabrielle Brown at gbrown@nycbar.org.

**Volunteers Sought for Monday Night LAW**

The New York City Bar Association’s Committee on Legal Services for Persons of Moderate Means is seeking volunteer attorneys to staff the Monday Night Legal Advisory Workshop, which begins its 19th year this fall. New volunteers are needed for the MNL year, which will run from October through August 2010. Volunteers are needed to staff MNL one Monday per month during that period. A two-part training will be held in September.

For more information, or an application to participate, please provide full contact information including an E-mail address that accepts attachments to MondayNightLaw@gmail.com.
**September 2009 CLE Registration Form**

**Video Replay: Starting Your Own Firm: Is It Something You Should Think About and Prepare For?**
- **September 16**
  - Member: $195
  - Non-member: $205

**Residential Real Estate Closings: What You Need to Know from Pre-Contract to Closing**
- **September 14 & 21**
  - Per Day:
    - Live Program (includes materials): $215
    - CDs (includes materials): $335
    - DVDs (includes materials): $605
    - Materials Only (no CLE credit): $105
  - Both Days:
    - Live Program (includes materials): $215
    - CDs (includes materials): $335
    - DVDs (includes materials): $605
    - Materials Only (no CLE credit): $105

**The Cybersleuth’s Guide to the Internet: Super Search Engine Strategies for the Legal Professional**
- **September 13**
  - Member: $195
  - Non-member: $305

**The Cybersleuth’s Guide to the Internet: Investigative Research Strategies for the Legal Professional**
- **September 15 (morning)**
  - Member: $195
  - Non-member: $305

**Navigating European Data Protection Laws in U.S. Litigation: Best Practices and Practical Solutions**
- **September 16**
  - Member: $195
  - Non-member: $305

**Ethical Considerations for Corporate Investigations: Updates 2009**
- **September 17**
  - Member: $245
  - Non-member: $335

**Significant Changes to the Statutory Power of Attorney: Are You Prepared?**
- **September 17**
  - Member: $215
  - Non-member: $325

**Litigation Skills Workshop: Taking & Defending Depositions**
- **September 21 & 22**
  - Early Bird Discount (valid until 9/17):
    - Live Program (includes materials): $1195
    - CDs (includes materials): $335
    - DVDs (includes materials): $445
    - Materials Only (no CLE credit): $105

**Introduction to Collaborative Law: An Alternative to Litigation**
- **September 22**
  - Live Program (includes materials): $195
  - CDs (includes materials): $335
  - DVDs (includes materials): $445
  - Materials Only (no CLE credit): $105

**6th Annual Institute on Corporate, Securities & Related Aspects of Mergers & Acquisitions**
- **September 23, 24 & 25**
  - Live Program (includes materials): $695

---

**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.**

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Firm</td>
<td><strong>Member</strong></td>
<td><strong>Nonmember</strong></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>State</td>
<td>Zip</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>Email</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Enclosed $</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please charge $______ to my: [ ] Mastercard [ ] Visa [ ] American Express

Card Number Exp. Date

Signature

---

**CITY BAR CENTER FOR CLE POLICIES**
Member rates apply to City Bar and co-sponsoring organization members. A $25 “walk-in” fee will be charged for reservations received after 3:00 p.m. one business day prior to the program.

For more information on registration, cancellations, refunds, fees, and credit, please visit our website at www.nycbar.org or call 212.382.6663.
City Bar Trains Deferred Associates

The New York City Bar and City Bar Justice Center are pleased to announce the launch of the Deferred Associate Law Extern Support Project, a response to the growing pool of law school graduates who have been deferred for up to a year from private law firms and have chosen to work in public interest law in New York City. The main goal of the project is to provide a series of training sessions that will help the law firm externs get up to speed on the hard and soft skills needed to succeed at their externships and when they return to their law firms.

On September 14, the Project will kick off with a Welcome Breakfast and a week long training program held in conjunction with The Legal Aid Society and Legal Services NYC. The event is free for law firm externs and CLE credit will be provided. Additional programming will continue throughout the fall and early winter.

For full programming details, please visit www.nycbar.org/DeferredAssociate/index.htm or contact Zakiyyah Salim-Williams, Project Director at zswilliams@nycbar.org or 212.382.6689. The City Bar gratefully acknowledges the support of the New York Community Trust for this Project.

Save the Date: October 13 & 14
Bootcamp 2009 – Basic Training for Lawyers
What you need to know to be successful when you join a firm

September Career Development & Networking Events & CLE Courses

10 THURSDAY, 6:30 PM – 8:30 PM
Kickoff Reception: Young Lawyers Connect – First Thursdays

10 THURSDAY, 6 PM – 9 PM
CLE Video Replay: Starting Your Own Firm

16 WEDNESDAY, 6:30 PM
From Law Practice to Law & Order

17 THURSDAY, 7 PM
City Bar Contemplative Lawyers Group

22 TUESDAY, 8:30 AM – 10:30 AM
How to Succeed and Excel as a Reduced or Flexible Hours Associate

22 TUESDAY, 6 PM
Back to School—Another Degree May Be the Key to Your Career

23 WEDNESDAY, 6:30 PM
Putting ADR on Your RADAR

24 THURSDAY, 6:30 PM – 8:30 PM
Taking Control of Your Career: Strategic Planning for Women Starting in the Profession

Young Lawyers Connect: Second Annual First Thursdays Series

Young Lawyers Connect First Thursdays are back. Kick off the year with your peers on September 10th at 6:30 pm. See below for a full list of this year’s events.

SEPTEMBER 10, 6:30 PM – 8:30 PM
Kickoff Reception

OCTOBER 1, 6:30 PM – 10 PM
Dinner Cruise on the Spirit of New York

NOVEMBER 12, 6:30 PM – 8:30 PM
Yamazaki Tasting

DECEMBER 3, 6 PM – 8 PM
Pass the Bar Reception

JANUARY 7, 6:30 PM – 8:30 PM
Salsa Dance Lesson

FEBRUARY 11, 6:30 PM – 8:30 PM
Wine Tasting

MARCH 4, 6:30 PM – 8:30 PM
TBA

APRIL 8, 6:30 PM – 8:30 PM
Lord & Taylor Fashion Show and Shopping Event

MAY 6, 6:30 PM – 8:30 PM
NY Sips & Tapas

JUNE 3, 6:30 PM – 8:30 PM
Mixology Class