MISSED OPPORTUNITIES

By Barry Kamins, President

This Association was founded in 1870 to confront a crisis of confidence in the judiciary. Over the past one hundred and thirty-six years we have vigorously argued that merit selection of judges is the best method of ensuring a strong judiciary. We have also promoted increasing diversity on the bench at both the state and federal levels because a sufficiently diverse judiciary enhances public confidence in the administration of justice. In the Governor’s recent selection of a judge for our state’s highest court, we believe that an opportunity to bolster these principles was missed.

On August 18, 2006, Governor George Pataki nominated Hon. Eugene F. Pigott to the New York State Court of Appeals. Initially, it should be noted that Justice Pigott is an excellent judge with impressive qualifications and a distinguished record as an appellate judge. However, it is also true that in failing to reappoint the Hon. George Bundy Smith, an equally excellent appellate judge with impeccable credentials, the Governor has left the state’s highest court without an African-American judge for the first time in more than two decades.

The decision not to reappoint Judge Smith is even more disappointing when one views it in the context of the Governor’s record of judicial appointments over the last twelve years. In his three terms as the appointing authority of New York’s appellate judges and of judges on the Court of Claims, Governor Pataki has appointed only two African-American and two Hispanic judges to the First and Second Departments and has never appointed an African-American judge to either the Third or Fourth Departments. Of the approximately sixty current judges, all appointed by the Governor, one is African-American and one is Hispanic. Of the 305 judges in New York State he has appointed during his tenure, only a handful are minorities.

These statistics are even more troubling when one considers that the First Department, which covers Manhattan and the Bronx has, according to the 2000 Census, a minority population of 42% and 75%, respectively. In the Second Department, comprised of ten counties, with half of the population of New York State, 45% of the residents are people of color. Notwithstanding these diverse populations, of the 38 appellate justices in those departments, only four, or...
Employee Benefits

“Employer Stock Litigation: The Tension Between ERISA Fiduciary Obligations and Employee Stock Ownership,” a report. The recent litigation involving employer stock held in Eligible Individual Account Plans (EIAP) raises numerous issues for courts, plan sponsors, plan fiduciaries and anyone with a personal or professional interest in U.S. employee benefits policy. These issues include: should the holding of employer stock in employee benefit plans be subject to the same fiduciary standards as other plan investments, to the standards set forth in the securities laws, or to some other standards? And does, or should, ERISA impose any special duty on a plan fiduciary who obtains non-public information about a company’s prospects in his or her role as a corporate officer? The report examines these issues and others, and offers for consideration suggestions and recommendations that are based on experience in this field.

Family Court and Family Law

Letter to New York City Administration for Children’s Services (ACS) expressing support for the agency’s burgeoning collaboration with the Nurse-Family Partnership program. The letter specifically endorses ACS’s initiative to allocate monies from its preventive services budget to underwrite the cost of program support from the Partnership for pregnant teens in the agency’s foster care population, and expresses hope that a collaborative effort with ACS will enable the Nurse-Family Partnership to flourish and expand in the New York metropolitan area.

International Human Rights

Lesbian, Gay, Bisexual and Transgender Rights

Amicus brief filed with the facilitation of the Vance Center for International Justice Initiatives in the Constitutional Court of Colombia urges that the exclusion of otherwise qualified same-sex partners from receiving the valuable partnership benefits afforded by la Ley 54 de 1990 violates the fundamental constitutional principle of equality before the law. The brief provides an overview of the carefully considered judgments other courts and adjudicative bodies have reached when faced with similar questions. Although these courts and international human rights bodies represent diverse legal systems and cultures, the brief notes, they have recognized that laws that discriminate against individuals or their relationships on the basis of sexual orientation violate a fundamental right to equality and are a form of unfair discrimination.

International Human Rights

Letter to President Bush expressing concern over the arrest and imprisonment of Mikhail Trepashkin, a Russian lawyer. The letter questions whether Mr. Trepashkin was arrested and imprisoned in an effort to discourage his work for a client on whose behalf he had been scheduled to appear in court to discuss controversial evidence suggesting possible government involvement in two Moscow bombings. Since his arrest, Mr. Trepashkin has been held in a facility with substandard conditions and has not been given appropriate care for existing physical conditions. The letter urges President Bush to raise Mr. Trepashkin’s case with President Putin.

International Security Affairs

The Prevention and Prosecution of Terrorist Acts: A Survey of Multilateral Instruments. This report surveys the conventions on terrorism, the treaties that require prosecution or extradition of suspected terrorists and those that require other anti-terrorism measures relating to financing and securing nuclear facilities. The report also looks at the anti-terrorism efforts in the U.N. context, and the potential contribution of the International Criminal Court and other international tribunals to the prosecution of suspected terrorists. Finally, the report describes the array of international measures relevant to preventing terrorist acquisition of weapons of mass destruction.

Military Affairs and Justice

Testimony before the U.S. Senate urging that it act quickly, in light of the recent decision in Hamdan v. Rumsfeld, to establish an expert panel with a mandate to advise Congress and its committees about the appropriate means to establish a military commission system. The testimony points out that legislation authorizing the panel’s creation and the method of selecting its members would be relatively simple to draft, and once authorized, such a panel could begin its work without delay to provide immediate useful advice and drafting assistance to Congress.

Professional and Judicial Ethics

Formal Opinion 2006-3 concludes that a lawyer may ethically outsource legal support services overseas to a non-lawyer if the lawyer: (a) rigorously supervises the non-lawyer, so as to avoid aiding the non-lawyer in the unauthorized practice of law and to ensure that the non-lawyer’s work contributes to the lawyer’s competent representation of the client; (b) preserves the client’s confidences and secrets when outsourcing; (c) under the circumstances described in this Opinion, avoids conflicts of interest when outsourcing; (d) bills for outsourcing appropriately; and (e) under the circumstances described in this Opinion, obtains the client’s informed advance consent to outsourcing.
CLIENT DEVELOPMENT IS ACHIEVED THROUGH A VARIETY OF APPROACHES

Professional Development

Mid-level associates are often so busy meeting their billable hours that they can’t imagine finding time for client development. But it is just at this time that mid-level associates must start thinking about transforming themselves from workers to value-added associates with client development potential, says Timothy Leishman of Leishman Performance Strategy Inc., speaking to an audience of mid-level associates at the City Bar’s Professional Development Breakfast Workshop, "Developing Professional and Client Relationships."

Types of Partners

"The first thing for both lawyers and law firms to realize," notes Leishman, "is that business generators come in different styles and there is no one right way of doing business development. Some partners succeed in finding new clients by networking in the community while others attract business with their leading reputations. It is important to look at yourself, determine which style you fall into, and then leverage your skills," says Leishman.

The best way to determine your style is to think about what you do with your discretionary time. Are you more externally focused: do you like to go out and meet people? Or are you more internally focused, spending time cultivating your existing relationships. Are your relationship skills your strength, or do you rely more on your expertise?

According to Leishman, there are two different types of people: those externally focused and those internally focused. "There are also two different areas people excel in, expertise and relationships. As you pair up the different groupings of these qualities you find that partners fall into four basic practice styles, the Rainmaker, the Point Person, the Hired Gun, and the Brain Surgeon."

Rainmaker

The Rainmaker’s strength, says Leishman, is in networking. The Rainmaker has a knack for winning new business from new clients through networking. Rainmakers are always out at events, chairing meetings and sitting on boards, and use these opportunities and their natural people skills to target those outside the firm who may eventually bring in business.

There are not too many Rainmakers out there, notes Leishman, with a given large firm having only a few true Rainmakers. That’s because during the early years of an associate’s career at a firm, expertise and technical skills are more valued than the relationship skills of a Rainmaker. "Firms need to make an effort to recruit, develop and retain the Rainmakers," says Leishman.

Point Person

The Point Person is someone whose strength is in relationship skills, and who focuses on current clients and developing new business from that existing client. Leishman notes that the Point Person often gives free advice to clients because they want to make sure they are accessible to them. They visit their clients often and know the client and the client’s industry well.

According to Leishman, it can be more expensive for a firm to gain business from a new client than it is to generate business from an existing client. The value of the Point Person is that they cultivate ongoing relationships with the firm’s top clients. This is not to say the Point Person can’t bring in new clients, but when they do it is often the result of earning the trust of someone who works for an existing client, and then moves to another organization and turns to the Point Person for help.

Hired Gun

Having a knack for winning new business from new clients is what defines the Hired Gun. Unlike the Rainmaker, the Hired Gun does so based on a reputation as a specialist, rather than through networking. "Hired Guns," Leishman notes, "do whatever is necessary to build their public profile. They spend time on speaking engagements, writing books and articles, and participating in bar association activities — anything that builds them as an expert in their field." There can be many Hired Guns at a law firm, adds Leishman. Not only do they attract business but they contribute to the reputation of the firm.

Brain Surgeon

The Brain Surgeon is someone who does not bring in much new business but, because of their special talents and expertise, makes it possible for colleagues in the other three practice styles to bring in new work. "The Brain Surgeon," explains Leishman, "is thinking about the law all the time." They can often solve the unsolvable and help the firm develop business in new and creative ways. Typically, says Leishman, there are not many Brain Surgeons in a firm.

Identify Your Strengths

There is room and need for all four styles in a successful firm, says Leishman. The early success of any lawyer has its roots in the natural strengths and talents of the lawyer. Therefore, it is important to rely on your strengths to guide you up the ladder of success. By relying on your natural abilities and strengths, things will come more easily.

Each style pays attention to different things. But whichever style you fall into, there are key components of the other styles that you can learn from. It is important to remember to step outside your comfort zone a little, said Leishman.

If you are not the type that likes to network, think about what the Rainmaker would do in a social situation. Rainmakers often act like hosts, say hello and goodbye to everyone, and introduce people to one another.

Ask yourself, for example, what qualities does a Point Person possess that would be important to your success. The Point Person is, above all, loyal to their client. So even if you are not a Point Person, consider how you can make your client the most important person in your mind, says Leishman.

Going from a worker to a value-added client developer takes time, effort and persistence. By asking yourself and others for feedback about what qualities you should work on, Leishman maintains, you will give yourself the best chance to succeed with your own personal style.
about 10%, are minority judges.

The two minority judges appointed by the Governor to the Appellate Division, Second Department are no longer on that court and two other minority appellate judges in the First and Fourth Departments (appointed by previous Governors) are over seventy years of age and thus ineligible for appointment to the Court of Appeals. Since appellate judges are frequently selected as candidates for our highest court, this lack of diversity at the appellate level will impact the pool of candidates available to the Commission on Judicial Nomination. With no pool of minority appellate judges, the Commission would need to select a minority candidate from the trial bench or outside the judiciary.

Why is diversity so critical? Public confidence in our judiciary is diminished when the bench does not reflect the diversity of the community it serves. A recent poll, conducted by the Marist Institute, asked registered voters to evaluate the impartiality of the New York bench. While 71% of registered voters throughout the state felt that New York judges were basically impartial, only 51% of African-American voters felt that our judges were fair.

The Governor’s recent decision not to appoint Judge Smith also raises an issue that may not have been contemplated by those who drafted the legislation enacting the twelve member Commission on Judicial Nominations. The Commission was created to implement the 1977 amendment to the State Constitution changing the Court of Appeals to an appointive bench. Apparently nothing in the rules gives any deference to a Court of Appeals judge who is seeking reappointment. When a Court of Appeals judge has completed his or her fourteen-year term, in order to be reappointed, that judge must submit to the Commission process as if he or she had never sat on the Court of Appeals. In most appointive systems throughout the country, there is an advantage given to incumbents who have served with distinction. The New York process appears to be unusual in its failure to give a sitting judge any advantage or accommodation for years of distinguished service on the bench. When a judge has fulfilled his or her responsibilities over a fourteen-year period, perhaps there should be a presumption that the judge will be reappointed. Doesn’t the judge merit such a presumption over others who have not served on the Court? The failure to retain that judge sets a bad precedent and jeopardizes the integrity of the appointive process itself.

As we approach the election season and the end of one Governor’s tenure, it is hoped that a new administration will seriously consider diversity in the judicial appointment process. It bears repeating that a sufficiently diverse judiciary reminds all citizens that equal justice under the law lives as a central principle in our truly diverse state and nation.

A FREQUENT FRIEND OF THE COURT... CONTINUED FROM PAGE 1

(iii) Congress’ enactment of the Authorization for Use of Military Force Against al Qaeda did not overrule or modify FISA and thus does not legalize the NSA Surveillance Program; and (iv) the NSA Surveillance Program does not comply with the Fourth and First Amendments.

A few months later the Committee on Civil Rights filed a subsequent amicus in Center for Constitutional Rights v. Bush. This brief emphasizes that the government’s invocation of the state secrets’ privilege, in response to numerous lawsuits challenging illegal government activities, is troubling and threatens to undermine the rule of law and the role of the courts and legislature in our system of checks and balances. The brief also argued that the invocation of the state secrets’ privilege in these circumstances is unwarranted because the administration’s public statements provide all the information needed to determine the illegality of the NSA Surveillance Program.

Establishment Clause

The violation of the Establishment Clause was the focus of an amicus brief submitted by the Education and Law Committee (Jonathan Rosenberg, chair) and drafted with the assistance of Duane Morris LLP. It was filed in the U.S. Court of Appeals for the Second Circuit in Bronx Household of Faith v. Board of Education of the City of New York. The brief argues that the District Court’s decision should be reversed and that the Department of Education should be allowed to enforce Standard Operating Procedure Sec. 5.11, which precludes parties from conducting worship services in the New York City public schools. As the main public spaces at the school used by the appellant to conduct its worship services are available to only one group at a time, and usually only on Sundays, a message of favoritism and exclusivity is being conveyed which can be seen as a demonstration of the city’s endorsement of such activities.

As a result, the brief argues, this domination of the forum crosses a critical line: private religious speech, which might in other circumstances be constitutionally protected, has instead become governmental speech and therefore must be prohibited under the Establishment Clause.

Selection of Judges

The City Bar submitted an amicus brief to the U.S. Court of Appeals for the Second Circuit in Lopez Torres v. New York State Board of Elections. Submitted by the Task Force on Judicial Selection (Robert Joffe, chair), and prepared by Skadden Arps Slate Meagher & Flom LLP, the brief argues that the district court did not abuse its discretion in enjoining operation of New York’s judicial nominating convention system and ordering direct primary elections as a temporary remedy. The brief goes on to urge that the District Court and the Legislature should consider thoroughly all available options, including improving the judicial convention system and, in what the City Bar would consider a more preferable option, moving to a merit-based appointment system.

Equal Protection Across the Globe

Equal rights for same-sex couples was the subject of amicus briefs filed close to home and abroad. In New York, our committees on Sex and Law (Maria Cilenti, chair) and Lesbian, Gay, Bisexual and Transgender Rights (Lisa Badner and Allen Drexel, co-chairs) submitted amicus briefs in Hernandez v. Robles and companion cases, which argued that same-sex couples were unconstitutionally denied the right to marry in New York. The briefs identified the many instances where the law put same-sex partners and their children at a serious disadvantage as compared with opposite-sex couples and their families. The New York Court of Appeals ruled against our position, and we are now pursuing legislative action to achieve equal rights for same-sex couples.

Prepared jointly by the committees on International Human Rights (Martin Flaherty, chair), and Lesbian, Gay, Bisexual and Transgender Rights, and drafted by Weil Gotshal & Manges LLP, an amicus brief was filed by the City Bar in the Constitutional Court of Colombia. The filing of the brief was facilitated by the Vance Center for International Justice Initiatives. The brief urges that Colombia’s courts reconsider the question whether the definition of a domestic partnership as existing between a man and woman is contrary to fundamental rights guaranteed by the Colombian Constitution.

The brief argues that the exclusion of otherwise qualified same-sex partners from receiving the valuable partnership benefits afforded by a Colombian Law (la Ley 54 de 1990) violates the fundamental Constitutional principle of equality before the law. The brief provides an overview of the carefully considered judgments other courts and adjudicative bodies around the world have reached when faced with similar questions. The brief notes that although these courts and international human rights bodies represent diverse legal systems and cultures, they have recognized that laws that discriminate against individuals or their relationships on the basis of sexual orientation violate a fundamental right to equality and are a form of unfair discrimination.
INTELLIGENT INTERVIEWING:
IS THAT WHAT I REALLY LOOK LIKE?

Interviewing: a skill that can be learned and must be practiced! As you prepare for your next job search, come learn how to prepare for and practice your interviewing skills. In this program, you will be given the opportunity to learn about different interviewing styles and receive feedback (if you participate in the mock interviews).

Speakers:
LORI FREUDENBERGER
Assistant to the General Counsel, Brown Raysman Millstein Felder & Steiner LLP

MAUREEN M. REID
Director of Human Resources, Clifford Chance LLP

STEPHEN ROSEN, PhD
Chairman, Celia Paul Associates/Premium Career Management for Attorneys

JULIA HERR SMITH
President, Esquire Prep, LLC

Registration by September 29 is necessary. The fee, which includes refreshments, is $15. Please register online at www.nycbar.org

6 Friday, 8:30 am-4 pm
THE MILLER COMMISSION:
IMPROVING JUSTICE FOR CHILDREN OF DIVORCE AND SEPARATION

This program will discuss changes in the family law curriculum to incorporate changes in family law practice and will explore the integration of alternative dispute resolution and parent education into the case management process. We will also be reviewing empirical data on the needs of children of divorce and separation and appropriate parenting plans. Other subjects for discussion include early screening, front loaded services, and obstacles that will be faced in implementing the recommendations of the Miller Commission. The participants in the conference will include law professors, judges, practicing lawyers, mediators and other ADR professionals, and mental health professionals familiar with the Miller Commission Report.

Speakers:
HON. JUDITH S. KAYE
Chief Judge of the State of New York

HON. ANN T. PFUA
First Deputy Chief Administrative Judge, New York State Unified Court System

HON. SONDRA MILLER
Director of the Office of Family Services, New York State Office of Court Administration

BARRY F. ARMATA
Armata & Davis, LLC (Bristol, CT)

HON. JULIA DEWEY
Chief Administrative Judge, Family Superior Court (New Haven, CT)

HON. LEONARD P. EDWARDS
Judge-in-Residence, Administrative Office of the Courts (San Francisco, CA)

ROBERT EMERY
Director of the Center for Children, Families and the Law, University of Virginia Dept. of Psychology

SHARON PRESS
Director, Dispute Resolution Center (Tallahassee, Florida)

MARSHA KLINE PRUETT,
PH.D., M.S.L.
Associate Professor in Law and Psychiatry, Yale University School of Medicine

HON. JANICE ROSA
New York State Supreme Court Justice, 8th Judicial District

HON. ROBERT ROSS
New York State Supreme Court Justice, Nassau County

HON.
JACQUELINE SILBERMAN
Administrative Judge, New York State Supreme Court, New York County, Civil Branch

HON. JEFFREY SUNSHINE
New York State Supreme Court Justice, Kings County

HON. SHARON TOWNSEND
Administrative Judge, New York State Supreme Court, Erie County

DANIEL WEITZ
Coordinator of ADR Programs, New York State Office of Court Administration

Co-sponsored by: New York State Supreme Court; New York State Unified Court System; administrative judge, New York County, civil branch; New York State Office of Court Administration

For more information on the agenda, please contact Anne-Marie Jolly at ajolly@courts.state.ny.us

5 Thursday, 6:30 pm
WELCOMING RECEPTION
FOR LAW STUDENTS

This annual event gives law students an introduction to the City Bar, and a general overview of the many committees, services, and benefits our members enjoy. Barry Kamins, the President of the City Bar, will give opening remarks, then student members of the City Bar will discuss the benefits of membership including participation on committees, the City Bar Justice Center, the Minority Fellowship Program, networking opportunities, and access to the City Bar Library and Technology Center. During the program, committee members in attendance will be invited to introduce themselves and their respective committees. In addition, several students who now sit on committees will discuss their experiences as committee members.

Opening Remarks:
BARRY KAMINS
President, New York City Bar

Please RSVP at LSPRSVP@aol.com

OCTOBER 2006 CALENDAR
Unless otherwise noted, programs are free of charge; open to all members, their guests and the general public; and held at the House of the Association. Program information subject to change. Please check our Website at www.nycbar.org for the latest program information.
In this 10th anniversary year of the Nuclear Policy
advisory opinion on nuclear weapons of the International Court of Justice, this program will address whether U.S. policy meets the requirements of the Nuclear Non-Proliferation Treaty and other international law, and recommend steps for development of law and policy in this sphere.

Speakers:
RONALD BETTAUER
Deputy Legal Adviser, State Department

PETER WEISS
President, Lawyers’ Committee on Nuclear Policy

10 Tuesday, 7-9 pm
CROSSING SWORDS WITH THE FÜEHRRER: A JEWISH LAWYER CONFRONTS HITLER IN COURT

The years after World War I in Germany were among the most tumultuous in twentieth century European history. Germans reacted in differing ways to their country’s new democracy, the Weimar Republic. On the one hand, a virulent and violent right-wing wished to destroy it, spreading the canard that Germany had lost the war only because leftists and Jews had “stabbed the nation in the back.” On the other hand, the new Republic had few brave defenders. Among them was Max Hirschberg, a veteran who had been awarded the Iron Cross for fighting in the German Army during the war and a lawyer who established himself as a leader in Munich’s criminal defense and pro-Republic bar. In one high profile case after another, he represented prominent Social Democrats in disputes involving who was responsible for starting the war and for losing it. In the late 1920s, Hirschberg squared off against Adolf Hitler himself in a hotly fought libel case. By the time the Weimar Republic came to its disastrous end in 1933, Hirschberg had been one of the most important eyewitnesses to a thoroughly politicized judiciary that enabled the Nazis to rise to power. After Hitler came to power, Hirschberg — a socialist and a Jew — had to flee the Germany he had loved. He ended his days in New York, largely unknown to the public. Douglas Morris, a practicing criminal defense lawyer, legal historian, and author of Justice Imperiled: The Anti-Nazi Lawyer Max Hirschberg in Weimar Germany (University of Michigan Press 2005), vividly recreates the atmosphere of Hirschberg’s historic trial against Hitler and provides a thoughtful analysis of its significance.

Introduction:
JUDGE DAVID G. TRAGER
Judge, United States District Court, Eastern District of New York

Speaker:
DOUGLAS MORRIS
Assistant Federal Defender, Eastern District of New York

Commentator:
JONATHAN BUSH
Columbia Law School

11 Wednesday, 6 pm
HEALTH SAVINGS ACCOUNTS: DO THEY ADD UP FOR YOUR FUTURE?

Health Savings Accounts and their companion qualified high deductible health plans have become extremely popular as a way of lowering health insurance premiums and building tax advantaged accounts to be used for future health care expenses. After attending this seminar you’ll be able to determine if HSAs can benefit you and your employees in 2007.

The seminar will review the following:

■ What is a Health Savings Account (HSA)?
■ How do HSAs and insurance interact?
■ Who is eligible to open an HSA?
■ What is a qualified high deductible health plan?
■ Does it matter when you open an HSA during the year?
■ What are the short and long term benefits of establishing an HSA?
■ What features should be considered when opening an HSA?
■ How can HSA funds be used?
■ What happens to your HSA when you go on Medicare?
■ Arguments for and against HSAs
■ HSA & HDHP Options available through the New York City Bar

Speakers:
ROY S. LYONS
Senior Vice President, Marsh Affinity Group Services

SEAN TAHANY
Large Group Sales Manager, Oxford Health Plans

Please RSVP to genise.silvers@marsh.com

12 Thursday, 4-6 pm
PRO BONO OPPORTUNITIES FOR IN-HOUSE COUNSEL

This program will include a one-hour panel discussion on how to develop a pro bono program, including how to partner with outside counsel and not-for-profit legal service providers, and a one-hour CLE on ethical considerations for in-house counsel who undertake pro bono work. A reception will follow.

This program is dedicated to the memory of Joan Guggenheimer, former General Counsel of JPMorgan Chase & Co.

Welcome:
BARBARA BERGER
Executive Director, New York City Bar

Developing an In-House Pro Bono Program and Accessing Opportunities

Moderator:
KWANZA R. BUTLER
Director, Public Service Network, City Bar Justice Center
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Convention would generally provide uniform legal rules for the assignment of contractual rights to payment arising out of commercial and loan transactions if the assignment of receivables is international. This meeting, convened by the Association and several other organizations, will give those active in transactions that would be affected by the Convention – primarily asset-based lending, factoring, securitization, project finance and debt trading – a chance to learn more about the Convention and discuss its ramifications with representatives of the US State Department. Please Note: This program will take place at the CitiCorp Center, 153 East 53rd St., 14th Floor (Lexington Ave. & 53rd St.), Manhattan.

16 Monday, 6 pm

CAREERS IN THE WORLD OF BOOK PUBLISHING

Come to a panel discussion and Q&A session with lawyers who built successful careers in the book publishing industry - as authors, in-house counsel, outside counsel, and agents. Topics will include: how books get published; what makes a bestseller; the most interesting issues for lawyers and authors in the industry today; and what you need to know about working with authors, publishers and agents.

Moderator: THERESA PARK
Literary agent and founder, The Park Literary Group

Speakers: JON P. FINE
Associate General Counsel, Amazon.com

ROBERT E. LEVINE
Founding Partner, Levine, Plotkin & Menin

JAMES B. STEWART
Bestselling author, New Yorker contributor and Pulitzer Prize-winner

JEFFREY TOOBIN
Bestselling author, New Yorker staff writer and Senior Legal Analyst, CNN

Co-sponsored by: Harvard Law School’s Law & Arts Initiative

17 Tuesday, 6:30 pm

BUSINESS BASICS: LEGAL ISSUES

This seminar will discuss the five most critical legal issues for a start-up business. The topics include: incorporation, partners & investors, commercial leases, financing, employees, and compliance with regulations. At the conclusion of the formal presentation there will be a question and answer period. Please Note: This program will take place at the Donnell branch of the New York Public Library at 29 West 53rd Street, Manhattan.

Speaker: KEVIN DRAKEFORD
Drakeford & Kane, LLP

In conjunction with: Civil Court Practice Committee, New York County Lawyers’ Association

17 Tuesday, 7-9 pm

TRANSGENDER LEGAL RIGHTS

A panel discussion about current judicial, legislative, and political developments on the local, state, and federal levels, affecting the legal and civil rights of transgendered persons.

Moderator: DONNA M. LEVINSOHN
Warshaw Burstein Cohen Schlesinger & Kuh, LLP

Speakers: POOJA GEHI
Staff Attorney, Sylvia Rivera Law Project

18 Wednesday, 3–6 pm

FORUM: Re-entry of Persons with Criminal Records

This program will examine how to promote the successful and productive re-entry and reintegration into society of persons with criminal records. The program will provide an overview of the issues and specific training to handle two common legal problems facing persons with criminal records.

Welcome: BARRY KAMINS
President, New York City Bar

Moderator: ELLIS COSE
Author & Contributing Editor, Newsweek Magazine

Overview: DEBBIE MUKAMAL
Director, Prisoner Re-Entry Institute, John Jay College of Criminal Justice

TONY THOMPSON
Clinical Professor, Re-Entry Clinic, New York University Law School

GLENN MARTIN
Co-Director, National HIRE Network, Legal Action Center.

ANNE SWERN
First Assistant District Attorney, Kings County

TRAINING SESSIONS:

CRIMINAL JUSTICE 101: RAP SHEET REVIEWS AND CERTIFICATES OF RELIEF
The Bronx Defenders and Legal Action Center

DENIALS OF APPLICATIONS FOR PUBLIC HOUSING
City Bar Justice Center and Legal Action Center

3 CLE Credits will be provided and there is no fee for this program. To register, please send an email to Sara Chang at schang@nycbar.org by Friday, October 13th.

19 Thursday, 12:30 – 2 pm

SMALL LAW FIRM LUNCHEON

NETWORKING AS A MARKETING TOOL

This is the second program of the three-part Marketing Series which will discuss networking. “Networking” went from buzz word to mainstream staple in any discussion of business. So how does networking affect you as a lawyer? Our panelists will examine what networking means for them as small firm practitioners and how networking helps their practices and can help yours.

Speakers: MARTIN S. KLEIN
Kamerman, Meyrowitz & Soniker P.C.

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Registration by October 16 is necessary. The fee for the luncheon is $25 for members and $35 for non-members. Please register at page 10 or online at www.nycbar.org.

Supported by LexisNexis.

19 Thursday, 7 pm

PATHWAYS TO THE CLASSROOM: ALTERNATIVE TEACHER CERTIFICATION IN NEW YORK CITY

Over the last fifteen years, the pool of teaching candidates has drastically changed both in New York City and around the country. Short-term, intensive alternative certification programs, such as Teach for America and the New York City Teaching Fellows, now exist alongside traditional teacher preparation programs embedded in undergraduate and graduate schools of education. This is a change that has been embraced by many, but not by all. How have alternative certification programs changed the landscape of education reform in New York City? What are the pros and cons of having teachers from alternative certification programs teaching in the most difficult of New York City’s schools? How does the current regulatory framework affect the quantity and quality of teachers reaching New York City’s students? Are alternative certification programs enough – or the right way – to solve our teacher shortage problem? These are some of the questions the program will address in seeking to present a diverse set of opinions on this issue of vital importance to the future of public education. This event will be of interest to lawyers, educators, and anyone interested in education reform.

Moderator:
ELISSA GOOTMAN
Education Reporter, The New York Times

Speakers:
VICKI BERNSTEIN, M.P.P.
Director of Alternative Certification, New York City Department of Education

IRIS CHEN, J.D.-M.B.A.
Executive Director, Teach For America, New York City Office

KAREN ZUMWALT, PH.D.
Evenden Professor of Education, Teachers College, Columbia University

24 Tuesday
Program 6:30-7:30 pm
Reception 7:30-8 pm

HERMAN GOLDMAN LECTURE

TERRITORIAL VS. WORLDWIDE INTERNATIONAL TAX SYSTEMS: WHICH IS BETTER FOR THE U.S.?

Professor Paul R. McDaniel will discuss the proposal of the President’s Tax Reform Panel to change the U.S. international tax system from worldwide taxation of income to exemption from U.S. tax of business income earned abroad, offering his own unique insight in this long-debated subject.

Welcoming Remarks:
BARRY KAMINS
President, New York City Bar

Moderator:
MARK STONE
Holland & Knight LLP

Speaker:
PAUL R. McDANIEL
James J. Freeland Eminent Scholar in Taxation and Professor of Law, Levin College of Law, University of Florida

25 Wednesday, 6 pm

TAKE CONTROL! CAREER PLANNING FOR JUNIOR ASSOCIATES

The M&A associate who became General Counsel of the Boston
Red Sox? The former associate working in a business development capacity for a hedge fund? Or the former litigation associate working on high profile cases as an Assistant U.S. Attorney? What's your “dream job”? And do you know how to make it happen?

Whether you want to improve your odds at partnership or jump over to the business side, come learn the skills necessary to set yourself apart from your competition and position yourself to achieve your goals. You’ll learn self-assessment and career planning tools from career management professionals and recruiters who recruit for professional sports leagues, music and entertainment companies and top-tier financial firms. You’ll also hear from lawyers who’ve used multiple tools to reach their dream job goals.

This program is targeted to junior associates. Law students soon to become junior associates are welcome to attend.

Moderator:
KATHY BRADY
Brady & Associates Career Planners, LLC

Speakers:
JASON M. BAN
Chief Compliance Officer/Associate Counsel, Laurus Capital Management, LLC

JEFFREY A. BRANDON
Director, Waller Capital Corporation

ALAN D. Surchin
Pittelman & Associates

JULIA HERR SMITH
President, Esquire Prep, LLC

26-28 Thursday-Saturday
INTERNATIONAL LAW WEEKEND 2006
THE EVOLVING WORLD OF INTERNATIONAL LAW

This three-day event will explore the rapid evolution of public and private international law and the resulting consequences for the global legal environment. Experts will lead interactive sessions dealing with such topics as the increasing importance of international courts, escalating tensions between state sovereignty and human rights, the reasons for and consequences of the U.S.’s changing relationships with the rest of the world, and the importance of professional organizations in holding a mirror to power.

Luncheon Address:
JOSE ALVAREZ
Hamilton Fish Professor of International Law & Diplomacy, Columbia University School of Law; President, American Society of International Law

Registration is free for NYC Bar members, ILA members, members of co-sponsoring organizations, and for students. The cost for others is $50 payable in advance or at the door. Complete registration information is available at www.ambranch.org. All payments should be made out to James Lynch, ABILA Honorary Treasurer, Sobel & Company, 293 Eisenhower Parkway, Livingston, NJ 07039.

30 Monday, Reception: 6 pm; Premiere: 7 pm
“HITLER’S COURTS: BETRAYAL OF THE RULE OF LAW IN NAZI GERMANY”
A documentary film by award-winning directors Joshua Greene and Shiva Kumar presented by Touro College Jacob D. Fuchsberg Law Center and the New York City Bar. A question and answer session along with light refreshments will follow.

RSVP is required by calling (631) 421-2244 ext. 355 or e-mail allisonf@tourolaw.edu

Save the Date
Wednesday
November 1, 2006
Third Annual Law Practice Management Symposium
Saturday
December 2, 2006
How to Become a Judge

October 2006 Registration Form

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

☐ Small Law Firm Luncheon: Networking as a Marketing Tool – 19 Thursday
   The fee for the luncheon is ☐ $25 for members, ☐ $35 for non-members.

Name

Company

Number of Reservations

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Total Enclosed $

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Signature

Please return this form to: Meeting Services, New York City Bar, 42 West 44th Street, New York, NY 10036-6689.
Please make checks payable to the Association of the Bar. If registering for additional persons, duplicate this form.
State Attorney General Candidate Debate. The three Democratic candidates for state attorney general – Andrew Cuomo, Mark Green and Sean Patrick Maloney – held court at the New York City Bar Association on September 6, six days before the primary election, to debate the issues and advance their campaigns before a full house of Association members and reporters. The early morning program was moderated by Barry Kamins, City Bar President, and Kris Fischer, editor-in-chief of the New York Law Journal, which co-sponsored the public debate with the City Bar.

Committees Seeking New Members

Committee on Transportation
The Transportation Committee is looking for new members. The committee’s agenda includes the intersection of local transportation and homeland security, transportation aspects of various regional development projects, new technologies, the growing practice of private financing for public projects, and oversight of the region’s public transportation authorities. In addition, the Committee plans an indepth review of the cost-benefit methods that are now prevalent in evaluating transportation projects. Please contact Andrew Hayes at ahayes@hayes-hardy.com, or telephone 212-554-3120 for more information.

Committee on Mental Health Law
The Committee on Mental Health Law welcomes new members to participate in its projects for the 2006-07 year. Primarily the Committee advocates in favor of legislative bills and other government actions which would affect people with mental health disorders, including requiring equal mental health insurance coverage, and eliminating solitary confinement for prisoners with mental illnesses. This year the Committee is also co-sponsoring several programs, including a panel discussion on geriatric mental health issues.

The Committee frequently holds joint meetings with other committees to hear presentations by guest speakers on various topics. The Committee is seeking people who would like to work on its projects, and looks forward to hearing from new members with new ideas. To apply for membership, contact the Chair, Ginger Trunkes, at vtrunkes@skhmlaw.com.

Committee on Foreign and Comparative Law
The Committee on Foreign and Comparative Law’s current main focus is on Chinese law, Russian law, and Islamic law. However the scope of the committee is broad and the focus constantly changes according to the interests of its members. Its October meeting will feature a presentation on Women’s Rights and Slavery under Islamic Law. The Committee’s upcoming events include a Great Hall Program on November 6 on The History and Development of Islamic Law, as well as a CLE program in March on “Doing Business under Islamic Law.” The Committee is actively seeking committee members who have Arabic or Mandarin proficiency, but welcomes all those with an interest in foreign law. To apply for membership, contact the Chair, Robert Michael, at rema@walrus.com.

Drugs and the Law Committee
Are you interested in the intersection between criminal justice and health care? Between international human rights and narcoterrorism? Between public health and public order? If so, you are invited to apply to join the Drugs and the Law Committee. The Committee’s broad scope of inquiry includes New York State medical marijuana legislation, local policing policies, international drug control and counterterrorism, advances in medical research, and religious freedom. Contact Noah Potter, the Committee Chair, at NoahPotter@aol.com to learn more.
Diversity

2006 DIVERSITY BENCHMARKING REPORTS REVEAL PROGRESS, STAGNATION, AND DECLINE

Benchmarking is a powerful tool to assess how organizations are progressing towards their goals. The 2006 New York City Bar Diversity Benchmarking reports indicate that New York law firms and legal departments can be proud of progress in certain areas and need to intensify their focus in others. The benchmarking reports are based on statistical information from 93 New York City law firms and 15 corporate law departments, all of which are signatories to the Association’s Statement of Diversity Principles. This is the second year we have collected data on law firms and the first year for corporate law departments.

Law Firm Key Findings:

Progress for New Women Partners. One of the most encouraging developments since the last study is the substantial increase in the proportion of new women partners. In 2005, women represented 29.1% of new partner promotions, a marked improvement over 20.3% in 2003. Likewise, women represented 20.1% of lateral partner hires in 2005 compared to 12.8% in 2003.

Stagnation and Decline for New Minority Partners. Gains achieved by new women partners are not shared by racial/ethnic minorities, with minorities representing 7.4% of new partner promotions in 2005 compared to 7.0% in 2003. The proportion of minority lateral partner hires actually decreased from the already low 5.5% to 3.2%.

More Data Collected on Openly Gay Attorneys. One of the most gratifying improvements is that almost twice as many openly gay attorneys are reported this year by signatory firms. Of the over 18,000 attorneys at signatory firms, 425 are counted as openly gay (2.3%), compared to 272 (or 1.6%) in last year’s study. The number of firms reporting at least one openly gay attorney increased from 52 to 74. We attribute this gain, in part, to our urging of firms to solicit a more accurate count of diverse attorneys through a confidential and anonymous survey. However, the reported numbers for attorneys with disabilities remain largely unchanged.

There is more diversity in lower levels of signatory law departments than in upper tiers. Nearly one-fifth of the 4th level, or junior-most attorneys, in signatory law departments are racial/ethnic minorities. The proportion drops to 11% for level 3 (managing attorneys) and 9.5% for level 2 (Deputy General Counsels). There is an upswing with nearly one-fifth of signatory general counsel positions occupied by racial/ethnic minorities.

The proportion drops to 5.5% at the next level. Women represent one-quarter of the top two tiers in the law departments.

The racial and gender diversity of General Counsels in signatory corporations surpasses the Fortune 500. Compared to the Fortune 500, where 6% of General Counsels are minorities (29), the NYC Bar signatories are ahead of the curve with triple the percentage, 18.8% (MCCA, 2006). With one-quarter of the top jobs in signatory law departments held by women (4), the signatories outperform the Fortune 500, where 15% of general counsels (76) are women.

Corporations and firms can learn from each other. Corporate law department signatories are faring better than firms with greater representation of women overall (44.2% vs. 35.5%) and at all levels. Corporations are keeping pace with firms generally with regard to minorities (15.5% vs. 15.1%) and exceed firms at the upper tiers. However, firms are leading the way with respect to counting their openly gay attorneys (2.3% vs. 0.6%) and attorneys with disabilities (0.1% vs. 0.0%). Only three signatory corporations provided data on their openly gay attorneys, and no companies reported attorneys with disabilities. This data suggests that both corporations and firms have opportunities to learn from each other.

Furthermore, there are lessons to be learned in the progress made for new women partners. The data suggest that firms have more work to do but are on the right track with regard to women. However, much still needs to be done to attract, retain, and advance racial/ethnic minorities. It is time for firms, and the profession as a whole, to re-double their efforts on this front.

The report captures the demographics of the New York offices as of January 2006. Individual organization data is kept strictly confidential. To learn more about the diversity benchmarking studies or to download the reports, visit www.nycbar.org. Please direct questions to Meredith Moore, Director of the Office for Diversity, by e-mail to mmoore@nycbar.org or 212-382-6689.

To collect comparable data across corporations with varying law department structures, we requested data for 4 levels with representative titles given:
1. General Counsel (GC), Chief Legal Officer (CLO)
2. Deputy GC/CLO, Division or Practice Head, Direct Reports to GC/CLO
3. Managing Attorneys, High Level Specialists
4. All Other Attorneys

www.nycbar.org
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<td>9-5 p.m. VIDEO REPLAY: HOT TOPICS ON THE CURRENT LEGAL, TAX &amp; ACCOUNTING ENVIRONMENT FOR TAX-EXEMPT ORGANIZATIONS: WHAT YOU DON'T KNOW CAN HURT YOU 7½ credits</td>
<td>6-9 p.m. RESIDENTIAL CLOSINGS: SOUP TO NUTS (DAY 2) 3 credits*</td>
<td>6-9 p.m. NEW ETHICAL RULES FOR ATTORNEY ADVERTISING ARE COMING: LEARN WHAT YOU SHOULD BE GEARING UP TO DO 3 credits*</td>
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<td>9-12 p.m. ENVIRONMENTAL LAW: MAJOR RECENT DEVELOPMENTS IN THE EU: ESSENTIAL INFORMATION FOR CORPORATE &amp; ENVIRONMENTAL ATTORNEYS 3 credits*</td>
<td>6-9 p.m. THE LAW, THE MEDIA &amp; YOUR CLIENTS 3 credits*</td>
<td>6-9 p.m. WHERE IS YOUR EVIDENCE? HIGH TECH EVIDENCE, THE SECRETS IT MAY HOLD &amp; THE TOOLS PROSECUTORS &amp; DEFENSE ATTORNEYS NEED TO ACCESS IT 5 credits*</td>
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<td>9-12:30 p.m. FUNDAMENTALS OF TRUST ACCOUNTING INCOME &amp; PRINCIPAL RULES UNDER THE REvised NEW YORK STATE LAWS: ETHICAL &amp; LIABILITY ISSUES YOU NEED TO KNOW 4 credits*</td>
<td>6-9 p.m. HOT TOPICS IN LICENSING 3 credits*</td>
<td>6-9 p.m. EMPLOYMENT LAW ESSENTIALS: WHAT NEW YORK PRACTITIONERS NEED TO KNOW ABOUT LEAVES OF ABSENCE, SEXUAL ORIENTATION DISCRIMINATION, OVERTIME, RETALIATION &amp; MORE... 3 credits*</td>
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<td>8:30 a.m.-7:45 p.m. (Part 1 of 2) UCLA LAW THIRD ANNUAL INSTITUTE ON CORPORATE, SECURITIES &amp; RELATED ASPECTS OF MERGERS &amp; ACQUISITIONS 19 credits*</td>
<td>8:50-5:30 p.m. (Part 2 of 2) UCLA LAW SECOND ANNUAL INSTITUTE ON U.S., E.U. &amp; CANADIAN ANTITRUST ASPECTS OF MERGERS &amp; ACQUISITIONS 6 credits*</td>
<td>6-9 p.m. ESSENTIAL TRIAL SKILLS: TIPS &amp; TECHNIQUES TO ENSURE YOU’LL SHINE IN COURT 6 credits*</td>
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<td>9-11 p.m. ETHICAL ISSUES FOR INSURANCE INDUSTRY PRACTITIONERS 4 credits*</td>
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<td>9-12:00 p.m. HEALTH SAVINGS ACCOUNTS: WHAT ARE THEY, HOW DO THEY WORK &amp; ARE THEY A GOOD IDEA? 3 credits*</td>
<td>9-5 p.m. SPEAKING TO WIN: THE ART OF EFFECTIVE SPEAKING FOR LAWYERS 7½ credits*</td>
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*This program provides transitional credit for newly admitted attorneys.
ANTITRUST

**UCLA LAW SECOND ANNUAL INSTITUTE ON U.S., E.U., AND CANADIAN ANTITRUST ASPECTS OF MERGERS & ACQUISITIONS

24 Tuesday, 6:15 p.m. – 7:15 p.m. &
25 Wednesday, 8:50 a.m. - 5:30 p.m.

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, governmental officials, and investment bankers. M&A regulators from several different countries, including France, Germany, and the UK, will be participating in the program. On Monday evening, there will be an Introduction to Basic M&A Legal Principles for attendees who are not experts in this field.

Program Chairs:
H. RODGIN COHEN
Sullivan & Cromwell LLP

SAMUEL C. THOMPSON, JR.
Professor & Director
UCLA Law Center for the Study of Mergers and Acquisitions at the UCLA School of Law

Additional faculty to be announced

Co-Sponsored by the UCLA Law Center for the Study of Mergers and Acquisitions

Live Program:
Member/UCLA Alum $425
Non-member $495

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

**This program is exempt from Passport series.

CORPORATE & SECURITIES

**UCLA LAW THIRD ANNUAL INSTITUTE ON CORPORATE, SECURITIES AND RELATED ASPECTS OF MERGERS & ACQUISITIONS

23 Monday, 8:50 a.m. – 7:45 p.m. &
24 Tuesday, 8:30 a.m. – 6:00 p.m. (Reception 6:00 p.m. – 8:00 p.m.)

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, governmental officials, and investment bankers. M&A regulators from several different countries, including France, Germany, and the UK, will be participating in the program. On Monday evening, there will be an Introduction to Basic M&A Legal Principles for attendees who are not experts in this field.

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SAMUEL C. THOMPSON, JR.
Professor & Director
UCLA Law Center for the Study of Mergers and Acquisitions at the UCLA School of Law

Additional faculty to be announced

Co-Sponsored by the UCLA Law Center for the Study of Mergers and Acquisitions

Live Program:
Member/UCLA Alum $695
Non-member $895

CLE Credit:
19 credits total: 15 professional practice/practice management, 3 skills & 1 ethics. This program provides transitional credit for newly admitted attorneys.

**This program is exempt from Passport series.

CRIMINAL LAW

WHERE IS YOUR EVIDENCE?
HIGH TECH EVIDENCE, THE SECRETS IT MAY HOLD & THE TOOLS PROSECUTORS & DEFENSE ATTORNEYS NEED TO ACCESS IT

12 Thursday, 6-9 p.m.

Technological innovations hold information and data that may be key to your defense of your client, or be critical to the success of your prosecution. Criminal trial attorneys must know the sorts of information being gathered and stored, how to interpret the data, and how to legally obtain the information sought.

This program will address:
- How internet archives function and whether they reliably archive the historical state of websites
- How the government and the defense should be authenticating computerized data and handling chain of custody
- How to determine whether inculpatory or exculpatory e-mails and electronic documents are authentic
- How to draft an affidavit in support of a search warrant and the search warrant itself so that law enforcement officers can lawfully access the computer files that contain the relevant information
- How to draft a subpoena containing the language and/or jargon that will produce the data relevant to your client’s defense
- How to obtain the data collected by “GPS” and other wireless technology and how that data could support a prosecution or defense
- How to assess a defendant’s claim that he did not intentionally browse or archive pictures from child pornography websites and how an internet user’s browsing history can be captured.

Program Chair:
ANDREA ZELLAN
Brafman & Associates, P.C.

Moderator:
HONORABLE JAMES ORENSTEIN
United States Magistrate Judge
Eastern District of New York

Faculty:
DAVID FREY
Assistant District Attorney
Chief, Computer & Technology Investigations Unit
Richmond County District Attorney’s Office

ERIC FRIEDBERG
Stroz Friedberg LLC

BRYAN GORCZYK
Forensic Concepts LLC
JOHN HEINZ
Detective Investigator
Queen’s County District Attorney’s Office

CHARLES A. ROSS
Herrick Feinstein LLC

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

Live Program:
Member $175  Non-Member $285

WILL THE DOJ THOMPSON MEMORANDUM SURVIVE?
LEGAL & FACTUAL CHALLENGES TO THOMPSON MEMORANDUM PROVISIONS

16 Monday, 6-9 p.m.

This panel will explore cutting-edge issues central to all those who represent corporations and white-collar executives. In 2003, the Department of Justice, in light of the spate of corporate scandals commencing with the demise of Enron in December 2002, implemented the Thompson Memorandum. It requires all federal prosecutors to consider a series of factors in determining whether to charge corporations for the actions of their employees.

These mandatory guidelines have come under recent attack and have been the subject of criticism in court and in Congress. In U.S. v. Stein, one provision of the Thompson Memorandum regarding the payment of attorney fees by a corporation for its employees was held by District Judge Kaplan to be unconstitutional under the due process clause of the Fifth Amendment and the Sixth Amendment.

This panel will examine the longevity and possible future impact of the "Thompson Memorandum." The panel will address, from the perspectives of outside defense counsel, in-house counsel, and the government, the practical and legal issues raised by the Memorandum. In addition to analyzing the underpinnings of the legal attack on the Memorandum, the panelists will address how to defend cases in which the government is relying on the Thompson Memorandum and how to develop the factual record to support a challenge. The panel will explore other provisions of the Memorandum that may be subject to successful challenge. One such provision is that the government consider, in deciding whether to indict a company, if the company has fired all employees who in the government’s view are not “cooperating.” Finally, the panel will discuss the initiatives within the DOJ and Congress to modify the Thompson Memorandum provisions.

Program Chair:
ANDREW WEISSMAN
Jenner & Block LLP
Former Enron Task Force Director

Faculty:
MATTHEW FRIEDRICH
Principal Deputy Assistant Attorney General
Chief of Staff
Criminal Division, Department of Justice

HONORABLE JOHN GLEESON
United States District Judge
Eastern District of New York

PAUL M. SMITH
Jenner & Block LLP

CHARLES A. STILLMAN
Stillman, Friedman, & Shechtman

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

Live Program:
Member $205  Non-member $315

YOU DON’T PRACTICE IN THE AREA OF DOMESTIC VIOLENCE?
WHAT DO YOU DO IF A CLIENT OR FRIEND CALLS WITH A DOMESTIC VIOLENCE SITUATION?

24 Tuesday, 6-8 p.m.

Real Estate, Wills, Trusts, Elder Law, Housing, Guardianship, Personal Injury, or Employment Law - no matter your practice area, you never know when the issue of domestic violence may come up. This panel will provide a broad overview of domestic violence and how to recognize the signs, as well as practical guidance regarding safety concerns, how to discuss the issue without confrontation or avoidance, and legal remedies relevant to your practice. Regardless of who you are advising, you will leave the evening with a step-by-step guide through this often tense and intimate conversation, which is fraught with challenges and potential misunderstanding. Legal referrals and social service resources will also be provided.

Program Chair:
KIM SUSER
Director, Matrimonial & Family Law Unit
New York Legal Assistance Group

Faculty:
AMANDA NADEL
The Bronx Defenders

LISA RIVERA
New York Legal Assistance Group

CYNTHIA RUBIN
Emery Celli Brinckerhoff & Abady LLP

PROFESSOR LISA SMITH
Brooklyn Law School
Kings County District Attorney’s Prosecutors’s Clinic
Family Justice Center

SHARON STAPEL
Supervising Attorney
Family / Domestic Violence Practice
The Legal Aid Society

CLE credit:
2 credits total: 1 credit in professional practice/practice management and 1 skills. This program provides transitional credit for newly admitted attorneys.

Live Program:
Member $175  Non-member $285

ENVIRONMENTAL LAW

MAJOR RECENT DEVELOPMENTS IN THE EU: ESSENTIAL INFORMATION FOR CORPORATE & ENVIRONMENTAL ATTORNEYS

10 Tuesday, 9-12 p.m.

New and rapidly evolving environmental mandates in the EU have brought environmental compliance to the forefront of international business practice. With globalization and the continuing expansion of international trade and environmental requirements, no corporate, environmental, securities, banking or insurance lawyer can afford to be unfamiliar with these developments. This program will examine the EU Emissions Trading Scheme to combat global warming, the REACH proposal for regulating hazardous chemicals, “whole facility” environmental permitting (IPPC), and the Waste Electrical and Electronic Equipment (WEEE) directive making producers responsible for the recovery and
recycling of their electrical and electronic products.

Program Chair:
JOHN ROUSAKIS
O’Melveny & Myers LLP

Faculty:
THOMAS BYRNE
Chief Environmental Counsel
Honeywell International

K. RUSSELL LAMOTTE
Beveridge & Diamond, P.C.

KENNETH RIVLIN
Allen & Overy LLP

Live program:
Member $205  Non-member $315

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

ETHICAL ISSUES FOR INSURANCE INDUSTRY PRACTITIONERS

27 Friday, 9-1 p.m.

This program will address a number of the ethical issues encountered by attorneys who practice in the insurance industry, whether in-house or as a private practitioner. The program will be split to focus on insurance, reinsurance and other types of risk management alternatives and their corresponding ethical considerations. Discussion topics will include:

■ Attorney-client privilege and work product protection of materials from underlying litigations prior, during and after coverage litigation
■ When is the same counsel inappropriate for the same insured
■ Self-evaluation privilege and notice of circumstance
■ Ethical considerations for risk retention groups
■ Ethical considerations for reinsurance mediations and arbitrations.

Program Co-Chairs:
ROBYN S. CROSSON
Proskauer Rose LLP

CHARLENE C. MCHUGH
Sidley Austin LLP

Faculty:
SUSAN E. GRONDINE
Certified Arbitrator
Boston, MA

ANDY HARLFINGER
Senior Specialty Claims Attorney
Travelers Property Casualty Corporation

ROGER M. MOAK
Certified Arbitrator

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

FAMILY LAW

UPDATE 2006-CURRENT DEVELOPMENTS IN MATRIMONIAL LAW

25 Wednesday 6-9 p.m.

There have been recent significant developments, including decisions rendered by all the courts, from the Supreme Court to the Court of Appeals, and anyone dealing with a matrimonial matter needs to know about them.

A panel of prominent attorneys and a sitting Judge, all who have been involved in many of the cases that will be discussed, will examine the impact of the latest changes on the following substantive issues:

■ Attorney Fees and Enforcement Issues
■ Equitable Distribution
■ Custody
■ Support

This program is intended for the seasoned matrimonial and family law practitioner interested in learning how recent decisions and case developments are affecting the practice, as well as attorneys new to the practice who need practical advice on how to handle a matrimonial case.

Program Chair:
MICHAEL DAVID STUTMAN
Mayerson Stutman LLP

Additional Faculty to be Announced.

Live Program:
Member $195  Non-member $305
CLE credit: 3 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

HEALTH CARE

HEALTH SAVINGS ACCOUNTS: WHAT ARE THEY, HOW DO THEY WORK, AND ARE THEY A GOOD IDEA?

30 Monday, 9-12:00 p.m.

In this program, prominent leaders in the healthcare industry representing payors, providers, financial institutions, and consumers will each explain how Health Savings Accounts (HSAs) will function under new federal law and regulations. Each speaker will cover his/her organization’s role in the operation of such HSAs. The presentation will include an overview of the practical application of HSAs for employers, and will also include a panel discussion of the viability of HSAs in the long-term and the challenges posed by asking consumers to make decisions regarding the cost allocation of their own healthcare. The group will also consider issues related to shifting of healthcare costs from the employer to the consumer and the ramifications for employers and consumers from both an operational and policy perspective. This presentation will be of interest to all key participants in the process of considering and implementing HSAs, such as in-house counsel, employers, health plans, financial institutions and healthcare providers.

Program Chair:
LINDA A. MALEK
Moses & Singer

Faculty:
JAMES GANDOLFO
Vice President
PFPC Inc.

JAMES R. TALLON, JR.
President
United Hospital Fund of New York

Additional faculty to be announced

Live Program:
Member $215 Non-member $325

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

INTELLECTUAL PROPERTY

HOT TOPICS IN LICENSING

17 Tuesday, 6-9 p.m.

This program will follow the negotiation of a hypothetical license agreement from the initial negotiation through dispute resolution. Among the topics that the panel will address are the goals of a licensing agreement and how they may differ depending on the degree of maturity of the brand, the pros and cons of different types of licensees, types of compensation arrangements, grants of rights for both traditional and new media, quality control provisions, international licensing issues, and enforcement and alternative dispute resolution. An experienced panel of in-house and outside counsel will also bring you up-to-date on recent cases, pending legislation and other current legal issues in the licensing area.

Program Chair:
CLAUDIA RAY
O’Melveny & Myers LLP

Faculty:
JERRY CALABRESE
CEO, Lionel LLC
Chesterfield, MI

You’ll find the right job on lawjobs.com, because it really delivers. Lawjobs.com offers rich content and thousands of targeted, current jobs from across the nation. Plus, it’s the only legal career center backed by ALM, a leading legal media and information company. Look no further.
THEODORE C. MAX
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC

SUSAN PROGOFF
Fish & Neave Intellectual Property Group
Ropes & Gray LLP

REBECCA SANHUEZA
Assistant General Counsel
Time Inc.

Live Program:
Member $205  Non-member $315

CLE credit:
3 credits total: 1½ skills & 1½ professional practice/practice management.

LABOR & EMPLOYMENT LAW

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

18 Wednesday, 6-9 p.m.

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

Program Chair:
JUSTIN M. SWARTZ
Outten & Golden LLP

Faculty:
TARIK AJAMI
Outten & Golden LLP

ALPHONSO DAVID
Staff Attorney
Lambda Legal

ALAN M. KORAL
Vedder Price Kaufman & Kammholz PC

JILL L. ROSENBERG
Orrick, Herrington & Sutcliffe LLP

PEARL ZUCHLEWSKI
Kraus & Zuchlewski LLP

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

Live Program:
Member (City Bar or co-sponsoring organization) $215  Non-Member $325

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

LITIGATION

ESSENTIAL TRIAL SKILLS: TIPS & TECHNIQUES TO ENSURE YOU’LL SHINE IN COURT

26 & November 2, Thursdays, 6-9 p.m.

Don’t miss this trial skills program which will explore various trial techniques. This two-evening program will provide you with the fundamentals involved in preparing for and conducting civil and criminal trials. In the first evening of the program, the expert panel comprised of judges and practitioners will cover opening and closing statements, jury selections and in limine motions. In the second evening of the program, the panel will provide training on direct and cross examination of fact witnesses and expert witnesses, depositions, interrogatories and demonstrative evidence. In this interactive program, the panel of highly skilled litigators will conduct mock demonstrations of many essential trial techniques. This program is designed for seasoned litigators looking to hone skills as well as those with less litigation experience.

Parts I & II are independent and it is not required that you attend Part I to attend and benefit from Part II.

Program Chair:
VICTOR OLDS
Vice President & Senior Attorney
Morgan Stanley

Additional faculty to be announced

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

Live Program:
Both days: Member of the City Bar or co-sponsoring organizations $355  Non-member $495
One day: Member $177.50  Non-member $247.50

MEDIA

THE LAW, THE MEDIA & YOUR CLIENTS

11 Wednesday, 6-9 p.m.

In any age of 24-hour news cycles and saturation coverage, the media can make or break a case. The Law, The Media & Your Clients, a seminar designed for both civil and criminal practitioners, will introduce the concepts and practices necessary to attract to and/or deflect attention from clients, cases and causes. Led by an Emmy Award winning news producer/attorney turned communications professional, a nationally known reporter and editor with over a decade covering the law, and a litigator with ample experience in the public eye, the course will cover the subject from a variety of perspectives.

Program Chair:
GORDON PLATT
Gotham Media Ventures

Faculty:
ALISON M. LYNN
Television Producer
NBC News

DIRK OLIN
Director of the Institute of Judicial Studies
Editor of Judicialreport.com
Institute of Judicial Studies

MARK S. ZAID
Mark S. Zaid, P.C.

Live Program:
Member $205  Non Member $315

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

VIDEO REPLAY: HOT TOPICS ON THE CURRENT LEGAL, TAX & ACCOUNTING ENVIRONMENT FOR TAX-EXEMPT ORGANIZATIONS: WHAT YOU DON’T KNOW CAN HURT YOU

3 Tuesday, 9-5 p.m.

This program will address the recent legislative and Internal Revenue Service developments affecting tax-exempt organizations, including: (a) recent legislative initiatives (both federal and New York State) designed to curb the non-charitable activities and practices of tax-exempt organizations (and their directors, trustees, and officers); (b) recent Internal Revenue Service regulatory activity in the "intermediate sanctions" area; (c) legislative fallout from Hurricane Katrina; and (d) the continued legislative and Internal Revenue Service efforts to close the "charitable funds" pipeline to terrorist organizations. The program will also discuss accounting issues faced by tax-exempt organizations and the application of Sarbanes-Oxley type considerations to these organizations, as well as the legal, tax and accounting issues of joint venture arrangements between tax-exempt organizations and for profit entities.

Ethical issues that attorneys who represent tax-exempt organizations face (including, for example, the potential conflict of advising both the organization and one or more of its directors, trustees or officers) will also be discussed.

Program Co-Chairs:

MARC A. KUSHNER
Seyfarth Shaw LLP

MICHAEL S. KUTZIN
Goldfarb Abrandt Salzman & Kutzin LLP

DAVID G. SAMUELS
Perlman &Perlman, LLP

Faculty:

IAN J. BENJAMIN
Goldstein Golub Kessler LLP

LAURA E. BUTZEL
Patterson Belknap Webb & Tyler LLP

CYNTHIA CARLSON
McLaughlin &Stern LLP

ELIZABETH M. GUGGENHEIMER
Legal Director
Lawyers Alliance for New York

RANDOLPH MCLAUGHLIN
Executive Director
Hale House

JOANNE LUEHRING
Roberts & Holland LLP

ROBERT PIGOTT
Assistant Attorney General
NYS Attorney General’s Office

ADAM H. REISS, CPA
Goldstein Golub Kessler LLP

GERALD A. ROSENBERG
Assistant Attorney General
NYS Attorney General’s Office

DAVID A. SHEVLIN
Senior Counsel
Simpson Thacher & Bartlett LLP

PHILIP T. TEMPLE
McCarthy Fingar Donovan Drazen
& Smith LLP

M. ANTOINETTE THOMAS
Carter Ledyard & Milburn LLP

CLE credit:

7½ credits total: 6 professional practice/practice management & ⅓ ethics. This video replay does not provide transitional credit for newly admitted attorneys.

Video Replay:

Member $385  Non-member $525

PUBLIC SPEAKING

SPEAKING TO WIN: THE ART OF EFFECTIVE SPEAKING FOR LAWYERS

31 Tuesday, 9–5 p.m.

More than any other profession, the practice of law depends on the effective use of words, communication and persuasion. Through the study of some great American political speeches and presentations of recent times, this practical seminar focuses on the basics of oral advocacy for all lawyers.

Whether you are called upon to give legislative testimony, deliver a presentation to clients or an oral argument, or simply talk to the press, this program will enable you to understand what makes the great speakers effective and use those techniques yourself as a lawyer.

At this seminar, you will participate in fun, practical, improvisational exercises – to be done in class and then at home – that will enable you to improve on your own and conquer anxiety. Whether you are a trial lawyer or simply have to give that occasional talk, don't miss this unique opportunity to improve an essential skill.

You will learn:

- Why lawyers are often poor speakers
- How to improve your voice, appearance and delivery
- How to write a speech or testimony and get your message across
- How to use humor in a beneficial way
- How to respond to questions without hesitation
- How to deal with a hostile or indifferent audience
- How television changes what you should do

Program Instructor:

STEVEN STARK
Former Lecturer on Law, Harvard Law School
NPR commentator
Author, "Writing to Win: The Legal Writer," and "Meet the Beatles: A Cultural History of the Band That Shook Youth, Gender, and the World"

CLE credit:

7½ credits in skills. This program provides transitional credit for newly admitted attorneys.

Live Program:

Member $350  Non-member $450

REAL ESTATE

RESIDENTIAL CLOSINGS: SOUP TO NUTS

4 Wednesday, 6-9 p.m.

The first session of this program is on September 28th, 6–9 p.m.

This program will cover the purchase and sale of cooperatives, condominiums and houses. The panelists will cover such general matters as form of ownership, due diligence, transfer taxes, title insurance and lien searches, and the contract of sale (understanding the contract, lien searches, the mortgage contingency clause and the most frequently negotiated contract provisions); discuss a number of commonly encountered problems (such as combined

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TAX & ACCOUNTING

FUNDAMENTALS OF TRUST ACCOUNTING INCOME & PRINCIPAL RULES UNDER THE REVISED NEW YORK STATE LAWS: ETHICAL & LIABILITY ISSUES YOU NEED TO KNOW

16 Monday, 9-12:30 p.m.

New York State has significantly revised the trust laws as it pertains to accounting income and its application to a tax reporting position. The substantial changes in the definition of accounting income under New York State law grants the trustee certain discretionary rights in determining the amount of accounting income that is payable to an income beneficiary.

Under the revised New York State trust laws, the income beneficiary has significant rights as well. The income beneficiary can take certain actions to enhance his/her annual income distributions from a trust. An analysis of the new IRS final regulations on the definition of accounting income as well as sample drafting language with conformity with IRS rules will be included.

This program is a must for trust and estate attorneys, accountants and any attorney involved in preparing trust tax returns or income tax returns for a trust beneficiary. Save yourself from any ethical and/or liability issues by learning the fundamentals of these new rules. As a special feature to the program the manual "Fundamentals of Trust Accounting Income and Principal Rules Under the Revised New York State Laws", that contains over 120 examples, will be distributed.

Program Co-Instructors:

SEYMOUR GOLDBERG, CPA
Goldberg & Goldberg, P.C.

JOSEPH M. SAMULSKI
Managing Director & Division Head
The Bank of New York
Former Chief of Law Department, New York County Surrogate’s Court

Live Program:
Member $235 Non-member $345

CLE credit:
4 credits total: 3 professional practice/practice management & 1 ethics. This program provides transitional credit for newly admitted attorneys. 3 CPE credits in taxation.

Registration

Advance registration is advised for live programs & video replays. An additional fee of $25 will be charged for registrations received later than 3:00 p.m. one business day prior to the program. For more information or to register for a program visit our website at www.nycbar.org, call (212) 382-6663, fax (212) 869-4451 or mail your registration to: City Bar Center for CLE, New York City Bar, 42 West 44th Street, New York, NY 10036.

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

Cancellations & Refunds

For live programs and video replays, refunds and program credits are available provided cancellation is made in writing and received by the City Bar Center prior to the program.

A $25 administrative fee will be charged for all refunds. The cancellation fee will be deducted directly from the refund. For program credits no administrative fee will be charged. Program credits must be used within one year of the original program date. Cancellations must be in writing and faxed to the City Bar Center at (212) 869-4451. For live programs and video replays. An additional administrative fee of $25 will be charged for registrations received later than 3:00 p.m. one business day prior to the program.

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, Valerie L. Fitch, Chair, and the City Bar Center for Continuing Legal Education.

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

Is there a program you would like to attend or a speaker you would like to hear? Please contact the City Bar Center with your suggestions.
OCTOBER 2006 CLE REGISTRATION FORM

☐ VIDEO REPLAY: HOT TOPICS ON THE CURRENT LEGAL, TAX & ACCOUNTING ENVIRONMENT FOR TAX-EXEMPT ORGANIZATIONS: WHAT YOU DON’T KNOW CAN HURT YOU
October 3
Live Program: □ $325 □ $345
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $375 □ $395
Materials Only: □ $105 □ $125

☐ RESIDENTIAL CLOSINGS: SOUP TO NUTS
September 28 & October 4
Live Program: □ $325 □ $345 (both evenings)
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $375 □ $395
Materials Only: □ $105 □ $125

☐ MAJOR RECENT DEVELOPMENTS IN THE EU: ESSENTIAL INFORMATION FOR CORPORATE & ENVIRONMENTAL ATTORNEYS
October 10
Live Program: □ $325 □ $345
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $375 □ $395
Materials Only: □ $105 □ $125

☐ THE LAW, THE MEDIA & YOUR CLIENTS
October 11
Live Program: □ $325 □ $345
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $375 □ $395
Materials Only: □ $105 □ $125

☐ WHERE IS YOUR EVIDENCE? HIGH TECH EVIDENCE, THE SECRETS IT MAY HOLD & THE TOOLS PROSECUTORS & DEFENSE ATTORNEYS NEED TO ACCESS IT
October 12
Live Program: □ $175 □ $195
Audio tapes: □ $155 □ $175
CDs: □ $175 □ $195
Videotapes: □ $185 □ $205
DVDs: □ $215 □ $235
Materials Only: □ $75 □ $95

☐ FUNDAMENTALS OF TRUST ACCOUNTING INCOME & PRINCIPAL RULES UNDER THE REVISED NEW YORK STATE LAWS: ETHICAL & LIABILITY ISSUES YOU NEED TO KNOW
October 16
Live Program: □ $235 □ $255
Audio tapes: □ $225 □ $245
CDs: □ $245 □ $265
Videotapes: □ $255 □ $275
DVDs: □ $285 □ $305
Materials Only: □ $105 □ $125

☐ WILL THE DOJ THOMPSON MEMORANDUM SURVIVE? LEGAL & FACTUAL CHALLENGES TO THOMPSON MEMORANDUM PROVISIONS
October 16
Live Program: □ $325 □ $345
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $375 □ $395
Materials Only: □ $105 □ $125

☐ HOT TOPICS IN LICENSING
October 17
Live Program: □ $205 □ $225
Audio tapes: □ $195 □ $215
CDs: □ $215 □ $235
Videotapes: □ $225 □ $245
DVDs: □ $245 □ $265
Materials Only: □ $105 □ $125

☐ EMPLOYMENT LAW ESSENTIALS: WHAT NEW YORK PRACTITIONERS NEED TO KNOW ABOUT LEAVES OF ABSENCE, SEXUAL ORIENTATION DISCRIMINATION, OVERTIME, RETALIATION & MORE...
October 18
Live Program: □ $225 □ $245
Audio tapes: □ $215 □ $235
CDs: □ $235 □ $255
Videotapes: □ $245 □ $265
DVDs: □ $265 □ $285
Materials Only: □ $110 □ $130

☐ NEW ETHICAL RULES FOR ATTORNEY ADVERTISING ARE COMING: LEARN WHAT YOU SHOULD BE GEARING UP TO DO
October 19
Live Program: □ $235 □ $255
Audio tapes: □ $225 □ $245
CDs: □ $245 □ $265
Videotapes: □ $255 □ $275
DVDs: □ $275 □ $295
Materials Only: □ $110 □ $130

☐ **UCLA LAW THIRD ANNUAL INSTITUTE ON CORPORATE, SECURITIES & RELATED ASPECTS OF MERGERS & ACQUISITIONS
October 23 & 24
Live Program: □ $695 □ $715
Audio tapes: □ $685 □ $705
CDs: □ $675 □ $695
Videotapes: □ $665 □ $685
DVDs: □ $655 □ $675
Materials Only: □ $105 □ $125

*This program is exempt from Passport series.

☐ **UCLA LAW SECOND ANNUAL INSTITUTE ON U.S., E.U., & CANADIAN ANTITRUST ASPECTS OF MERGERS & ACQUISITIONS
October 24 & 25
Live Program: □ $695 □ $715
Audio tapes: □ $685 □ $705
CDs: □ $675 □ $695
Videotapes: □ $665 □ $685
DVDs: □ $655 □ $675
Materials Only: □ $105 □ $125

*This program is exempt from Passport series.

☐ YOU DON’T PRACTICE IN THE AREA OF DOMESTIC VIOLENCE? WHAT DO YOU DO IF A CLIENT OR FRIEND CALLS WITH A DOMESTIC VIOLENCE SITUATION?
October 24
Live Program: □ $275 □ $295
Audio tapes: □ $265 □ $285
CDs: □ $285 □ $305
Videotapes: □ $295 □ $315
DVDs: □ $315 □ $335
Materials: □ $105 □ $125

☐ UPDATE 2006-CURRENT DEVELOPMENTS IN MATRIMONIAL LAW
October 25
Live Program: □ $215 □ $235
Audio tapes: □ $205 □ $225
CDs: □ $225 □ $245
Videotapes: □ $235 □ $255
DVDs: □ $255 □ $275
Materials: □ $105 □ $125

☐ ESSENTIAL TRIAL SKILLS: TIPS & TECHNIQUES TO ENSURE YOU’LL SHINE IN COURT
October 26 & November 2
Live Program: □ $315 □ $335
Audio tapes: □ $305 □ $325
CDs: □ $325 □ $345
Videotapes: □ $335 □ $355
DVDs: □ $355 □ $375
Materials: □ $110 □ $130

☐ ETHICAL ISSUES FOR INSURANCE INDUSTRY PRACTITIONERS
October 27
Live Program: □ $225 □ $245
Audio tapes: □ $215 □ $235
CDs: □ $235 □ $255
Videotapes: □ $245 □ $265
DVDs: □ $265 □ $285
Materials: □ $105 □ $125

☐ HEALTH SAVINGS ACCOUNTS: WHAT ARE THEY, HOW DO THEY WORK, AND ARE THEY A GOOD IDEA?
October 30
Live Program: □ $235 □ $255
Audio tapes: □ $225 □ $245
CDs: □ $245 □ $265
Videotapes: □ $255 □ $275
DVDs: □ $275 □ $295
Materials: □ $105 □ $125

☐ SPEAKING TO WIN: THE ART OF EFFECTIVE SPEAKING FOR LAWYERS
October 31
Live Program: □ $325 □ $345
Audio tapes: □ $315 □ $335
CDs: □ $335 □ $355
Videotapes: □ $345 □ $365
DVDs: □ $365 □ $385
Materials: □ $105 □ $125

All Registrations must be prepaid by either Credit Card or a Check Made Payable to: City Bar Center for CLE or New York City Bar

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Please charge to my □ Mastercard □ Visa □ American Express
Card Number Exp. Date
Signature

www.nychar.org
In law school we all learned about torts, contracts and the rule against perpetuities. We studied for finals and passed the bar, at which point we finally knew what we were doing and were ready to be lawyers. Or so we thought. But now, whether a few years out of school, or leaving a lengthy firm career, some of you are embarking on a small firm adventure and are facing questions that might leave you clueless. What do you do with a client who doesn't pay his bill? Isn’t it impolite to brag, so how do I get the word out about my new firm? And most importantly, how do I stay sane while I practice law and run an office?

Whether you are on the verge of hanging out your shingle or a small law firm practitioner interested in the growth of your practice, the New York City Bar will answer your questions at the upcoming Law Practice Management Symposium. The symposium, titled Growing a Vibrant Law Practice, is co-sponsored by the Association of Legal Administrators, and will be on Wednesday, November 1st from 8:30-4:00.

This year our symposium will feature two tracks of workshops, one for startups and the other for growing firms, two plenary sessions, a networking breakfast and a networking luncheon. In addition to obtaining valuable information at the workshops, participants will have the opportunity to interact with exhibitors whose businesses cater to the needs of small firms.

Throughout the day, workshops will cover such topics as the selection of a corporate form, renting an office, writing a business plan, and obtaining necessary insurance. We will present tips on dealing with difficult employees and clients, and demonstrate new technology including Treos, Blackberries, and lawyer blogs.

The day will conclude with a plenary session which is a must for every lawyer who runs his or her own practice. "Challenges for Solo & Small Firms: Maintaining Your Sanity in a Time of Stress" will help prevent burnout.

Most of the workshops will last 45 minutes and will provide participants with helpful hand-outs and checklists to use in their practice. The cost of attendance is $10 for New York City Bar members ($50 for non-members). There will be time for networking and browsing the exhibits throughout the day. A list of all exhibitors and workshops and the registration forms are available on our website.

More information is available in the calendar on the Association’s website, www.nycbar.org.

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**THIRD ANNUAL LAW PRACTICE MANAGEMENT SYMPOSIUM**

**Growing a Vibrant Law Practice**

**TIME** | **TRACK 1** | **TRACK 2**
--- | --- | ---
8:30 - 9:00 am | Networking Breakfast |  
9:00 - 9:45 am | Start-up Basics | Employment Issues for Growing Firms  
10:00 - 10:45 am | Business Plans for Lawyers | Law Firm Finances/Accounting  
11:00 - 12:00 pm | Plenary Session  
Marketing Skills Workshop and Use of Lawyer Blogs to Attract New Clients |  
12:00 - 1:00 pm | Networking Lunch **Sponsored by LexisNexis** |  
12:45 - 1:45 pm | Your Client Refuses to Pay- Now What? Fee Dispute Arbitration Process and How to Encourage Client Payment |  
1:00 - 1:45 pm | Technology for Start Ups |  
2:00 - 2:30 pm | Excellence in the Business and Practice of Law: Integrating Research and Practice Management |  
2:00 - 2:45 pm | Technological Solutions for Growing Firms |  
3:00 - 4:00 pm | **Plenary Session**  
Challenges for Solo & Small Law Firms: Maintaining Your Sanity in a Time of Stress |  

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...to the following law firms and corporations whose generosity sustains our vital work.

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Abbey Spanier Rodd Abrams & Paradis LLP
Alston & Bird LLP
Anderson Kill & Olick PC
Arent Fox PLLC
Arnold & Porter LLP
Baker & Hostetler LLP
Bender Burrows & Rosenthal LLP
Bingham McCutchen LLP
Boies Schiller & Flexner LLP
Cadwalader, Wickersham & Taft LLP
Cahill Gordon & Reindel LLP
Carter, Ledyard & Milburn LLP
Chadbourn & Parke LLP
Cleary Gottlieb Steen & Hamilton LLP
Clifford Chance US LLP
Cravath, Swaine & Moore LLP
Davis Polk & Wardwell
Debevoise & Plimpton LLP
Dechert LLP
DeWey Ballentine LLP
DLA Piper Rudnick Gray Cary LLP
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Katten Muchin Rosenman LLP
Kaye Scholer LLP
Kelley Drye & Warren LLP
Kenyon & Kenyon LLP
King & Spalding LLP
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Latham & Watkins LLP
LeBoeuf, Lamb, Greene & MacRae, L.L.P.
Mayer, Brown, Rowser & Maw LLP
Mayerson Stutman Abramowitz Royer LLP
Mendes & Mount LLP
Milbank, Tweed, Hadley & McCloy LLP
Milberg Weiss Bershad & Schulman LLP
Morgan & Finnegan LLP
Morgan, Lewis & Bockius LLP
Morrison & Foerster LLP
O’Melveny & Myers LLP
Orrick, Herrington & Sutcliffe LLP
Patterson, Belknap, Webb & Tyler LLP
Paul, Weiss, Rifkind, Wharton & Garrison LLP
Pillsbury Winthrop Shaw Pittman LLP
Proskauer Rose LLP
Reed Smith LLP
Salans
Schoeman, Updike & Kaufman, LLP
Shearman & Sterling LLP
Sidley Austin LLP
Simpson Thacher & Bartlett LLP
Skadden, Arps, Slate, Meagher & Flom LLP
Sonenschein Nath & Rosenthal LLP
Stibbe PC
Stroock & Stroock & Lavan LLP
Sullivan & Cromwell LLP
Troutman Sanders LLP
Vinson & Elkins LLP
Wachtell, Lipton, Rosen & Katz
White & Case LLP
Weil, Gotshal & Manges LLP
Willkie Farr & Gallagher LLP
Wilson, Elser, Moskowitz, Edelman & Dicker LLP
Winston & Strawn LLP

Corporations
Altria Group, Inc.
American Express Company
Bank of America
Bertholon Rowland Corp
Citigroup
Colgate Palmolive Company
Credit Suisse First Boston
Deloitte
Ernst & Young LLP
General Electric Company
JP Morgan Chase & Co.
Lehman Brothers Inc.
Marsh Affinity Group Services
Merrill Lynch & Co., Inc.
MetLife, Inc.
News Corporation
Pfizer Inc.
Seabury & Smith, Inc.
St. Paul Travelers Companies, Inc
Studley, Inc.
The Goldman Sachs Group, Inc.
TIAA-CREF
Time Warner Inc
Viacom Inc.

Last year, the City Bar Justice Center reached more than 25,000 people seeking legal assistance — immigrants, battered women, the homeless, the elderly, cancer survivors, consumers filing for bankruptcy and struggling small businesses - leveraging the volunteer pro bono services of the New York City bar.

To learn more about giving and volunteer opportunities, contact the City Bar Justice Center at 212-382-6754 or visit us at www.citybarjusticecenter.org.