What a Difference a Lawyer Makes

PATRICIA M. HYNES, PRESIDENT

If we live by the rule of law, then right to counsel should be seen as a fundamental right. That’s because our justice system, which is supposed to be a level playing field, is for all practical purposes inaccessible without legal services.

Clients often arrive at the City Bar Justice Center after trying to go it alone, and it’s amazing to see what a difference legal representation makes. The Justice Center’s Consumer Bankruptcy Project, for example, handles some 100 bankruptcy filings a year with a virtual 100% success rate. By contrast, the failure rate for pro se bankruptcy filings in New York State is a stunning 90%; the sad paradox, of course, is that people filing for bankruptcy usually can’t afford a lawyer to help them.

The Justice Center recently teamed up with The Legal Aid Society and the American Immigration Lawyers Association to set up clinics inside the Varick Federal Detention Facility for detained immigrants through the NYC Know Your Rights Project. Having counseled over 50 detainees, we discovered that over one-third of them had some basis for relief.

And yet by law, immigrants have no right to counsel. Even those with unassailable claims must leap high language and cultural hurdles, and without access to legal services, what chance do those detainees have? Plenty of immigrants who have lived here for many years and who, through a lawyer’s successful involvement, have narrowly escaped the breaking up of their families, or their forced return to a country where their life may be in danger, will tell you how important legal services have been to them.

Lessons learned from the NYC Know Your Rights project have contributed to a recent report by the City Bar’s Immigration and Nationality Law Committee supporting the right to counsel for indigent detainees. Characterizing removal proceedings as “criminal trials in all but name,” and citing the Supreme Court’s holding in Gideon that indigent defendants have a Sixth Amendment right to appointed counsel, the report argues for this same basic right to be extended to immigrants. As Justice
WHAT A DIFFERENCE A LAWYER MAKES: continued from p. 1

Brandeis wrote more than 80 years ago, removal can result “in loss of both property and life; or of all that makes life worth living.” Right to counsel must be considered an integral part of the debate on immigration reform.

Like the U.S. Constitution, international covenants and treaties like the International Covenant on Civil and Political Rights, the United Nations Declaration on Human Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination confer basic due process rights on individuals facing loss of liberty. The Vance Center for International Justice at the City Bar has led an increasing global awareness of the fundamental right to counsel and the moral obligation of lawyers, as custodians of the legal system, to provide pro bono legal services. In 2008, the Vance Center launched the Pro Bono Declaration for the Americas, the first Americas-wide statement of a lawyer’s responsibility to provide pro bono legal assistance, and so far over 400 lawyers, legal institutions, and non-governmental organizations have signed the Declaration, pledging to perform pro bono work.

Legal services are no less than the very means by which the rule of law is implemented, and an individual’s access to legal services is a test of whether a society lives by the rule of law.

Committees Seeking New Members

The International Trade Committee addresses and monitors international investor protection, developments in the World Trade Organization, and issues relating to trade in goods and services, including multilateral and bilateral trade agreements such as NAFTA and dispute settlement of cases brought under such agreements. To apply, please contact the Chair, Helena Sullivan, at helenadsullivan@yahoo.com.

The Science & Law Committee examines cutting-edge issues at the intersection where science, technology, and medicine meet the law. Among its more recent activities, the committee published a paper regarding Persistent Vegetative State and New York law regarding end-of-life issues; sponsored a symposium on Nanotechnology, Law, and Policy; and examined issues regarding the use of DNA evidence in criminal prosecutions. No science background is necessary for membership, just some interest in these kinds of issues. To apply, please contact the Chair, Eric Kraus, at eric.kraus@sdma.com or 212.898.4032.

October 2009
Registration Form

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Please return this form to: Meeting Services, New York City Bar, 42 West 44th Street, New York, NY 10036-6604. Please make checks payable to the Association of the Bar. If registering for additional persons, duplicate this form.

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CITY BAR EVENTS

Refugee Roulette: Disparities in Asylum Adjudication
5 MONDAY, 6:30 PM – 8:30 PM; RECEPTION 6 PM – 6:30 PM
Immigration law practitioners have long suspected that the likelihood of winning asylum depends in large measure on which asylum officer or immigration judge is assigned to adjudicate a case. Drawing on enormous databases of case and court information, the speakers will address this idea.

Speakers: JAYA RAMJI-NOGALES, Professor, Temple University, Beasley School of Law; PHILIP G. SCHRAH, Professor, Georgetown University Law Center; ANDREW I. SCHOPENHOLTZ, Professor, Georgetown University Law Center

Comments by: HON. ROBERT KATZMANN, U.S. Court of Appeals for the Second Circuit
Co-sponsored by The American Immigration Lawyers Association, New York Chapter; Brooklyn Law School, Safe Harbor Project; The New York Immigration Coalition; New York Law School, Safe Passage Immigration Program; New York University School of Law, Immigrant Rights Clinic
Refreshments will be served. Please register online at www.nycbar.org

Public Affairs Luncheon
6 TUESDAY, NOON – 2 PM
The Public Affairs Luncheon Series features speakers who address matters of public interest. The luncheons provide a forum to enable members of the Association to network, socialize, and discuss matters of interest.

Speaker: JOSEPH V. DEMARCO, DeVore & DeMarco LLP; former Chief, Computer Hacking and Intellectual Property Unit, U.S. Attorney’s Office, Southern District of New York

Topic: Identity Theft, Information Security & Terrorism: The Hidden War on America

Luncheon Chair: JEROME R. ROSENBERG
Luncheon Vice-Chair: EMILY CAMPBELL
Co-sponsored by Committee on National Security & Counter-Terrorism, Federal Bar Association, Southern District of New York Chapter
Registration by October 1 is required to guarantee admission. Registrations received after October 1 are subject to availability. The fee, which includes lunch, is $30. Please register online at www.nycbar.org

Letting It All Hang Out: Better Lawyering Through Awareness of Client and Self
6 TUESDAY, 5:30 PM – REGISTRATION; 6 PM – 8:30 PM – WORKSHOP
The successful and satisfying practice of law depends on having positive client relationships. Emotional competence, including an understanding of basic psychological principles and psychodynamic processes, facilitates good relationships. Yet, lawyers traditionally receive little training in this area. This workshop will explore how peer support might better equip lawyers to address the emotional aspects of practice.

Speakers: MARJORIE A. SILVER, Professor, Touro Law Center; editor and contributing author, The Affective Assistance of Counsel: Practicing Law as a Healing Profession (2007); ROBIN STEINBERG, Founder and Executive Director, The Bronx Defenders; SOFIA YAKREN, Associate, Beldock, Levine & Hoffman LLP; Author, Lawyer as Emotional Laborer, (2008); ANDREW BLATTER, JD, LCSW
Please register online at www.nycbar.org

Long Term Care Planning in a Recessionary Environment
6 TUESDAY, 6 PM
Until recently, many investors were planning to use their retirement assets to self-insure the

Dinner Cruise on the Spirit of New York
Young Lawyers Connect – First Thursdays
1 THURSDAY, 6:30 PM – 10 PM
Last year’s dinner cruise was so much fun (and sold out so fast) that we’re doing it again. Join us on the Spirit of New York for dinner, drinks, and dancing, not to mention spectacular views of NYC. Please note that the Spirit of New York leaves promptly at 7:00 PM from Chelsea Piers, and space is limited. Registration fees include dinner (vegetarian and kosher options available) and open beer and wine bar.

Sponsored by New York Law Journal, Practical Law Company, Spirit Cruises
The fee is $50 for members, $75 for non-members. Please register at www.nycbar.org or call 212.382.4723. We will not be able to offer refunds.

Friday Evening Chamber Music
2 FRIDAY, 6 PM
David Sheng (violin), Ellen Butters (viola), Brad Heller (cello), and Alok Dutt (piano) will play Beethoven’s piano quartet in E-flat major, Op. 16. Aaron Campbell (cello) and Liza Wu (piano) will play Prokofiev’s sonata for cello and piano, Op. 119. Brian Hill (French horn) and friends will play 20th-century music for winds.

Suggested donation of $10 at the door. For more information, please e-mail chambermusic@nycbar.org

Terrorism: The Hidden War on America
Identity Theft, Information Security & Terrorism: The Hidden War on America
Until recently, many investors were planning to use their retirement assets to self-insure the
cost of long term care. With the recent economic turmoil, those plans may need to be revisited and amended. Disposable income and assets available for this type of planning have certainly been affected. To see if your long term care strategy still makes sense, or if you need to start thinking about one, you will find this seminar helpful.

Speakers:
ROY S. LYONS, Managing Director, Marsh; JOHN J. MARCEL, CLU, CFP, President, Madison Park Consultants, Inc.; MATTHEW J. NOLFO, Law Offices of Matthew J. Nolfo

Spouses are invited and refreshments will be served. To email your reservation to attend, please contact genise.silvers@marsh.com or call Marsh at 888.882.2269. Seating is limited.

Clicking “Refresh”: A New Look at Fair Use in the Digital Age
7 WEDNESDAY, 6 PM

This panel discussion will address the ways in which copyright law’s fair use doctrine has evolved (or may be tested) in an era in which the rise of news aggregation, social networking, and a variety of other websites increasingly allow internet users to combine and transform content from endless sources and media. How transformative are online montages and mash-ups? Is the aggregation of headlines or content from news providers infringement or fair use? Does posting copyrighted content on a user’s Facebook or MySpace page undermine the market for that content? When does a blogger’s summary of an article appropriate enough content to constitute copyright infringement? Panelists will offer a broad range of perspectives on these and other issues from the bench, bar, media industry, and legal academy.

Moderator:
ANDREW DEUTSCH, DLA Piper LLP

Speakers:
HON. LEWIS A. KAPLAN, U.S. District Court Judge, Southern District of New York; LAURA MALONE, Associate General Counsel, Intellectual Property Governance, The Associated Press; WILLIAM W. FISHER, Hale and Dorr Professor of Intellectual Property Law, Harvard Law School; Director, The Berkman Center for Internet and Society; SUSAN KOHLMANN, Jenner & Block LLP

Please register online at www.nycbar.org

Books at the Bar
Securing the City
8 THURSDAY, 6 PM – 8 PM

The New York Police Department is the City’s front line against terrorism. Join Newsweek’s Paris Bureau Chief Christopher Dickey as he discusses how one of the nation’s largest urban police forces works each day to prevent another 9/11. A wine and cheese reception will begin at 6 PM with a book discussion to follow.

Speaker:
CHRISTOPHER DICKEY, Author, Securing the City

Please register online at www.nycbar.org

Boot Camp 2009:
Basic Training for Lawyers
13 TUESDAY, 10 AM – 5 PM &
14 WEDNESDAY, 1 PM – 8:15 PM

This two-day program will provide recent law graduates and current law students with career planning information particularly relevant in a troubled economy, as well as practical and substantive insights into the practice of law. Whether seeking a job at a large or small law firm, in government or at a public interest organization, these sessions will provide information that will help you achieve success when you join a firm or other legal employer.

Sessions include:
• Integrating Deferment/Unemployment into Long-Term Career Plans
• Communication Skills All Young Associates and Students Should Learn
• Networking—Establishing Strategic Alliances
• The Anatomy of Litigations and Transactions
• Understanding a Law Firm as a Business and Your Role as an Associate
• Adding Value: How to Stand Out and Hit the Ground Running
• Networking Reception

Please see the back page for more information about sessions and registration.

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On the 180th Anniversary of the Passage of New York State’s First Anti-Cruelty Law in 1829

13 TUESDAY, 6:30 PM – 8:30 PM

A discussion of a number of bills that were left hanging when the New York State legislature went out of session, such as felony cruelty to wildlife, dog fighting, puppy mills, canned shoots, and farm animal confinement. New York State was once a humane leader, but have we fallen behind on some issues?

Moderator:
JANE HOFFMAN, President, Mayor’s Alliance for NYC’s Animals

Speakers:
DEBORA M. BRESCH, Government Relations, ASPCA; PATRICK KWAN, NYS Director, The Humane Society of the United States; MICHELLE VILLAGOMEZ, Senior Manager, Advocacy and Campaigns, Government Relations, ASPCA; SAMANTHA MULLEN, NYS Humane Association

Please register online at www.nycbar.org

Intelligent Interviewing: Telling Your Story, Selling Yourself

14 WEDNESDAY, 6 PM

In this competitive job market, understanding how to tell a potential employer why he or she should select you is crucial. Interviewing is a skill that can be learned and must be practiced. Come learn how to prepare for interviews and practice your interviewing skills. In this program, you will be given the opportunity to learn about different interviewing styles.

Speakers:
LORI FREUDENBERGER, Former Prosecutor; MAUREEN M. REID, Principal, Maureen M. Reid LLC; JULIA HERR SMITH, President, Esquire Prep, LLC

The fee, which includes refreshments, is $15 for members, $25 for non-members. Please register online at www.nycbar.org

Poverty and Welfare in the United States – A Human Rights Violation?

15 THURSDAY, 6 PM – 8 PM

How extensive is poverty in the United States and how well does our social welfare system perform in preventing and ameliorating poverty? Do our anti-poverty policies comport with Human Rights norms? Hear from a panel of experts on poverty, social welfare, and the application of human rights principles to issues of poverty and social welfare.

Moderator:
TIMOTHY CASEY, Senior Attorney, Legal Momentum

Speakers:
CATHERINE ALBISA, Executive Director, National Economic & Social Rights Initiative; MARTHA DAVIS, Associate Dean and Professor, Northeastern University School of Law; JANET GORNICK, Director of Luxembourg Income Study and Professor of Political Science & Sociology, CUNY-Graduate Center

Co-sponsored by Human Rights Institute, Columbia Law School; Legal Momentum; Center for Constitutional Rights; International Women’s Human Rights Law Clinic, CUNY Law School

Please register online at www.nycbar.org

Program and Reception for 2010 International LLM Candidates

15 THURSDAY, 6:30 PM – 7:30 PM – PANEL DISCUSSION WITH Q&A; 7:30 PM – 8:30 PM – RECEPTION

The panelists will speak about how they came to be involved in international practice. They will offer advice to international LLM students on effective contact-making and networking, including how joining the New York City Bar and participating in one of its committees can be an effective route to do so. Meet, mingle, and network with panelists and other City Bar leaders.

Welcome:
PATRICIA M. HYNES, President, New York City Bar

Moderator:
MICHAEL L. SHER, Member, New York City Bar Council on International Affairs and Task Force on International Legal Services; Former Chair, UN Committee

Speakers:
MICHAEL H. BYOWITZ, Wachtell, Lipton, Rosen & Katz; Member, New York City Bar Executive Committee; LUCY MARTINEZ, Freshfields Bruckhaus Deringer US LLP; Member, City Bar Council on International Affairs; HON. DELISSA A. RIDGWAY, Judge, U.S. Court of International Trade; Member, City Bar Council on International Affairs

Please register online at www.nycbar.org

Practicing Law and Cultivating Wisdom: A Meditative Perspective

City Bar Contemplative Lawyers Group

20 TUESDAY, 7 PM

Charles Halpern will draw on his experience as a public interest lawyer and CUNY Law School dean to discuss the ways that lawyers can practice law more effectively by cultivating wisdom and bringing it to bear in their professional lives.

He has practiced meditation for the past 20 years and has led meditation workshops for lawyers, judges, and law students, including a meditation workshop for California judges. He is currently teaching a Boalt Hall course, Effective and Sustainable Law Practice: The Meditative Perspective. He is a co-founder and board chair of the Center for Contemplative Mind in Society.

Speaker:
CHARLES HALPERN, Scholar in Residence and Lecturer, Boalt Hall School of Law, University of California at Berkeley; Author, Making Waves and Riding the Currents: Activism and the Practice of Wisdom (2008)

Please register online at www.nycbar.org

Integrated Networking:
Meet, Talk, Tweet, Blog
Small Law Firm Luncheon – Growing Your Practice
First of a three-part luncheon series

22 THURSDAY, 12:30 PM – 2 PM

How do you integrate all your networking options into a coherent, planned, targeted effort to attract new clients? At this session you will learn how to combine traditional networking activities with your Web site and the new social networking Web options such as blogs and Twitter.

Moderator:
MARK A. JOSEPHSON, CPA, CFP, CFE, Murray & Josephson, CPAs, LLC
Federal Sentencing: A Revolution Without Results? Examining the Present to Shape the Future
22 Thursday, 6 PM – 9 PM
The U.S. Supreme Court’s 2005 decision in United States v. Booker fundamentally changed the practice of sentencing in federal criminal cases. Despite this massive doctrinal shift, however, recent sentencing statistics reflect that pre- and post-Booker sentences do not vary widely. This panel discussion aims to explore why this has been the case and what the future holds for federal sentencing.
Moderator: JOHN GLEESON, U.S. District Judge, Eastern District of New York

Perspectives of Minority Female Judges and Litigators
22 Thursday, 6:30 PM – 8:30 PM
Reports have found that minority female attorneys often face special challenges during their careers because of their gender and race or ethnicity. This program will have a distinguished panel of minority judges and litigators discuss how their gender and race or ethnicity have impacted their careers and how minority women can continue to make strides in the legal profession. The panel will also discuss how minority and female attorneys can further their careers, particularly during the current economic climate.
Moderator: NATALIA MARTIN, Director of Diversity, Simpson Thacher & Bartlett LLP

Speakers:
DAVID BIRDOFF, Of Counsel, Feldman Weinstein & Smith; ELLEN AUWATER, Auwater Associates
Sponsored by Lexis/Nexis
Registration by October 19 is necessary. The fee, which includes lunch, is $30 for members, $45 for non-members. Please register on page 2 or online at www.nycbar.org

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.

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*This live program provides transitional/non-transitional credit to all attorneys.
Hot Topics in Bankruptcy Litigation 2009
15 THURSDAY, 6 PM – 9 PM
The long-anticipated surge in bankruptcies has arrived in full force, bringing with it a host of contested matters and other litigations. At this program, a panel of experts will examine some of these legal issues and important cases, including selected trading contract safe harbor and setoff issues in the Lehman bankruptcy, procedural and substantive issues faced amidst the deluge of 363 sales, and selected problems with the potential reach of Section 541 of the Bankruptcy Code.

Program Chair: MARK M. ELLIOTT, Bingham McCutchen LLP
Faculty: MARK C. ELLENBERG, Cadwalader Wickersham & Taft LLP; JULIA FROST-DAVIES, Bingham McCutchen LLP; BRUCE H. MATSON, LeClairRyan
Credit: 3.0 PP*

16-Hour Bridge-the-Gap: Corporate and Litigation
16 & 23 FRIDAYS, 9 AM – 5 PM; OCTOBER 16 – LITIGATION DAY; OCTOBER 23 – CORPORATE DAY
The Bridge-the-Gap programs fulfill a full year’s credit requirements for those who are newly admitted, while providing invaluable information and credits for more experienced attorneys. A skilled faculty will guide you through the day-to-day practice of law and cover topics of interest to all attorneys, including legal ethics. This program is unique because we offer one day of litigation and one day of corporate; you can purchase both days together or just one. In order to fulfill the MCLE Bridge-the-Gap requirements, you must attend both days. Save by registering for both days!

Faculty: HON. LUCY A. BILLINGS, Supreme Court Justice, Bronx County; ANDRAL BRATTON, Principal Attorney, Appellate Division, First Department; KAREN D. COOMBS, General Counsel, International Quality & Productivity Center; KEVIN CORBETTE, Senior Manager, Forensic & Dispute Services, Deloitte Financial Advisory Services LLP; SUSAN DONNELLAN, Deputy Superintendent for Policy & Chief Ethics Officer, NYS Insurance Dept.; JEREMY FEINBERG, Statewide Special Counsel for Ethics, NYS Office of Court Administration; DONNA FULLER, Senior Manager, Forensic & Dispute Services, Deloitte Financial Advisory Services LLP; MARK A. LIMARDO, Katten Muchin Rosenman LLP; RONALD C. MINKOFF, Frankfurt Kurnit Klein & Selz PC; KENNETH M. MOLTNER, Bressler, Amery & Ross, P.C.; RICK OSTROVE, Leeds Morelli & Brown, P.C.; JENNIFER PARKINSON, Director, Barclays Capital; STEVEN R. PEIKIN, Sullivan & Cromwell LLP; DAVID PIKUS, Bressler, Amery & Ross P.C.; JACK PLATT, Attorney at Law; LAMIE M. RICHMAN, Attorney at Law
Credit: 16.0 credits total: 7.0 PP/PM, 6.0 skills & 3.0 ethics (both days)*
Credit: 8.0 credits total: 3.5 PP, 3.0 skills & 1.5 ethics (per day)*

Hot Topics in Advertising and Marketing Law 2009
30 FRIDAY, 9 AM – 12:30 PM
This annual program gives a timely update on recent developments in the law governing advertising and marketing. This year’s program will cover recent cases, legislative developments, and self-regulatory activity in the areas of general advertising practices, comparative advertising, green advertising, endorsements and testimonials, children’s advertising and privacy, substantiating advertising claims, network clearance, and intellectual property, as well as updates on federal, state, and local regulatory enforcement priorities.

Program Chair: JEFFREY A. GREENBAUM, Frankfurt Kurnit Klein & Selz PC
Faculty: ANDRA DALLAS, Staff Attorney, Children’s Advertising Review Unit, Council of Better Business Bureaus; ANTHONY A. DiFRANCESCA, Editor, Broadcast Standards & Practices, ABC Television Network; LEONARD L. GORDON, Director, Northeast Region, Federal Trade Commission; MARK LERNER, Satterlee Stephens Burke & Burke LLP; MARLA TEPPER, General Counsel, NYC Department of Consumer Affairs
Credit: 4.0 PP*

Cap and Trade and Government Incentives for Renewable Energy
21 WEDNESDAY, 9 AM – 12 PM
This program will provide you with a primer on new cap-and-trade of greenhouse gases regulations, carbon credits, and renewable energy projects. You will also learn about sources of government funding, tax credits provided in recent stimulus packages for renewable energy, and recent litigation in the environmental and climate change area. Attendees will leave the seminar with an understanding of cap-and-trade and renewable energy matters, expanding their knowledge into new practice areas where climate-friendly deals might go forward when other work is less active.

Program Chair: N. ADELE HOGAN, White & Case LLP

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
Complying with FCPA in a Heightened Enforcement Environment: What Advice You Need to Give Your Clients and When

28 WEDNESDAY, 9 AM – 3:30 PM
The Foreign Corrupt Practices Act ("FCPA") has now become one of the focal points of the Securities and Exchange Commission and the Department of Justice enforcement programs. Enforcement actions, civil and criminal, are on the rise and the cost of resolving FCPA actions is getting even more onerous. At the same time, foreign anti-corruption laws and enforcement are also increasing. U.S. and foreign-based companies increasingly face FCPA risks in their varied international business activities. Such risks can, however, be detected and managed before problems arise. An experienced faculty of private practitioners, regulators, and prosecutors will provide an in-depth analysis of the FCPA’s current trends and their implications. The faculty will discuss timely important information on the latest enforcement trends, international developments, compliance best practices, and risk assessment and mitigation.

Topics to be covered include trends in international cooperation among enforcement officials; analysis of recent record-setting cases against companies and individuals; conducting due diligence of foreign commercial intermediaries, agents, distributors, and joint venture partners to minimize liability risks; weighing the pros and cons of voluntary disclosure; conducting internal investigation in challenging countries; representing individuals in FCPA investigations and trials; and what the future holds for global anti-corruption compliance and enforcement.

Program Chair:
CLAUDIUS O. SOKENU, Arnold & Porter LLP

Credit: 3.0 PP*

Estate Planning
The Cans and Can’ts of Trust Decanting: How to Pay Over Assets From One Trust to Another

14 WEDNESDAY, 6 PM – 9 PM
A trustee’s power to pay over assets from one trust to another is a valuable technique. Whether relying on common law, EPTL 10-6.6(b), or another state statute specifically authorizing a transfer, the ability to pour over or “decant” assets from one trust to another permits a trustee to accomplish tax goals (for example, to change a grantor trust to a non-grantor trust or avoid state fiduciary income tax), to change provisions relating to trustees, to add or delete spendthrift provisions, and to achieve many other planning goals and objectives. This program will address the prerequisites for taking advantage of this powerful tool, provide drafting tips and practical advice about the potential uses of decanting, explain when decanting is unavailable, and explain the changes that are being proposed to the statute. The updated content of this program will entitle attendees to CLE credit even if they attended the 2008 program.

Program Chair:
PAMELA EHRENKRANZ, Wachtell Lipton Rosen & Katz

Credit: 6.0 PP*

"Say On Pay": Where We Are, How We Got Here, and Where We’re Headed

29 THURSDAY, 9 AM – 12 PM
Advisory “Say on Pay” votes burst onto the governance scene this past proxy season, with increasing numbers of shareholder proposals and, for the first time, TARP-required votes at nearly 400 financial issuers. “Say on Pay” has become a rallying cry for all stripes of participants in the corporate governance debate, and has spawned a number of legislative initiatives that would mandate votes at all public companies. At this program, an experienced panel of corporate governance and compensation practitioners will provide a review and analysis of the “Say on Pay” debate, a recap of the 2009 experience including an analysis of voting results on traditional shareholder-initiated “Say on Pay” proposals and TARP-mandated proposals, a look at how companies have been interacting with “Say on Pay” proponents both before and after the vote, an examination of the current status of legislation/regulation and its likely road forward, and a discussion of the impact of “Say on Pay” on boards and compensation committees.

The program is intended for those who practice in the corporate governance, board advisory, public company, executive compensation, and general corporate areas.

Program Chair:
KENNETH P. KOPELMAN, Kramer Levin Naftalis & Frankel LLP

Faculty:
STEPHEN L. BROWN, Director & Associate General Counsel, Corporate Governance, TIAA-CREF; BRIAN T. FOLEY, Managing Director, Brian Foley & Company, Inc.; PEARL MEYER, Senior Managing Director, Steven Hall & Partners

Credit: 3.0 PP*

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
In these types of practices. This program will help attendees avoid disciplinary complaints and legal malpractice claims by first recognizing ethical issues before they ripen into an ethical dilemma and then applying common sense approaches to problems that could not be avoided. Speakers will use real life hypotheticals to stimulate discussion of problems that arise in everyday practice.

Program Chair: RICHARD M. MALTZ, Frankfurt, Kurnit, Klein & Selz, P.C.

Faculty: DEBORAH A. SCALISE, Scalise & Hamilton LLP; LEWIS TESSER, Tesser, Ryan & Rochman, LLP

Credit: 2.0 ethics*

Current Legal Ethical Issues
29 Thursday, 6 PM – 9 PM

Join us to hear this nationally renowned ethicist and well-regarded speaker address current issues of legal ethics. Programs typically feature eight to nine distinct topics which are chosen close in time to the event to maximize topicality. Some of these pertain to specific areas of law practice including civil and criminal litigation and corporate and transactional work. Issues common to all areas of practice—rules governing fees, conflicts of interest, confidentiality and privilege, unauthorized law practice by lawyers, the no-contact rule, and malpractice and liability to non-clients—are also included. The topics are geared toward an audience of lawyers, the no-contact rule, and malpractice and liability to non-clients—are also included. The topics are geared toward an audience of diverse interests. Audience questions and comments are encouraged.

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

Program Instructor: STEPHEN GILLERS, Emily Kempin Professor of Law, New York University School of Law

Credit: 3.0 ethics*

Ethical Issues Routinely Confronted By Solo and Small Firm Practitioners
21 Wednesday, 6 PM – 8 PM

Solo practitioners and small firms face ethical perils unique to their practices. Medium and large firm practitioners who intend to start a new law firm will face many of the same ethical problems. However, most of these ethical dilemmas can be avoided by simple risk management techniques and a basic understanding of common pitfalls that arise in these types of practices. This program will help attendees avoid disciplinary complaints and legal malpractice claims by first recognizing ethical issues before they ripen into an ethical dilemma and then applying common sense approaches to problems that could not be avoided. Speakers will use real life hypotheticals to stimulate discussion of problems that arise in everyday practice.

Program Chair: RICHARD M. MALTZ, Frankfurt, Kurnit, Klein & Selz, P.C.

Faculty: DEBORAH A. SCALISE, Scalise & Hamilton LLP; LEWIS TESSER, Tesser, Ryan & Rochman, LLP

Credit: 2.0 ethics*

Insurance-Linked Securities: What You Need to Know About These Financial Instruments
9 Friday, 9 AM – 12 PM

For more than a decade, risks traditionally covered by insurance products have also been transferred using securities and other financial products. At the same time, secondary trading in life insurance policies, with its implications for capital markets and hedging strategies, has fundamentally challenged traditional notions of “insurable interest.” Clearly the line between insurance and other financial products has been blurred. This program will explore the structure, uses, and regulations of various insurance-linked financial products, providing practical advice and focusing on recent legal and market developments.

Program Co-Chairs: DANIEL A. RABINOWITZ, Sullivan & Cromwell LLP; EARL ZIMMERMAN, Sutherland Asbill & Brennan LLP

Faculty: BRIAN T. CASEY, Locke Lord Bissell & Liddell LLP; RACHEL B. COAN, Katten Muchin Rosenman LLP; FRANCIS R. MONACO, Dewey LeBoeuf LLP; ALBERT J. PINZON, Cozen O’Connor

Credit: 3.0 PP*

Current Issues in Patent Practice
8 Thursday, 6 PM – 9 PM

At this program, a panel of experts will teach you the legal issues that are essential to advising clients on patent questions. This seminar, designed for both patent and non-patent practitioners, will focus on the practical aspects of evaluating and using patents in business, using both lecture and roundtable discussions. Topics to be addressed include description of a patent, infringement claims, claim construction, licensing, due diligence, and infringement claims.

Program Co-Chairs: T. DAVID BOMZER, Day Pitney LLP; RICHARD RAYSMAN, Holland & Knight LLP

Faculty: JAMES W. DABNEY, Fried Frank Harris Shriver & Jacobson LLP; JAMES R. KLAIBER, Milbank Tweed Hadley & McCloy, LLP; MARK I. KOFFSKY, Deputy General Counsel, SMSC; DAVID LEICHTMAN, Lovells LLP; THOMAS J.
MELORO, Willkie Farr & Gallagher LLP; PETER A. SULLIVAN, Hughes Hubbard & Reed LLP

Credit: 3.0 PP*

LABOR & EMPLOYMENT LAW

Current Issues in Connection with Reductions in Force (RIFs) and RIF Litigation
13 TUESDAY, 6 PM – 9 PM

Reductions in force (RIFs) are causing millions of employees to lose their jobs and have had a devastating effect on our economy. In addition, businesses often face litigation fallout after a downsizing takes place. This program will explore current issues faced by employers and employees in connection with RIFs, including: how RIF decisions are made, avoidance of disparate impact discrimination, the use and negotiation of separation agreements, RIF statistics, and litigation fallout. The program will review the effect of the United States Supreme Court’s recent New Haven firefighter’s decision, Ricci vs. DeStefano, on disparate impact analyses. Who should attend? Federal and state practitioners interested in counseling clients on appropriate RIF procedures, negotiation of separation packages, and litigation of RIF-related claims.

Program Chair:
MARTIN W. ARON, Edwards Angell Palmer & Dodge LLP

Faculty:
DR. CHRISTOPHER ERATH, Senior Vice President, NERA Economic Consulting;
HOPE SARAH GOLDSTEIN, Bryan Cave LLP; PAUL M. RITTER, Kramer Levin Naftalis & Frankel LLP

Credit: 3.0 PM*

LEGAL WRITING

Real World Document Drafting®: Form, Style, and Substance
8 THURSDAY, 9 AM – 4:30 PM

Document drafting is important to the successful negotiation of a deal, particularly because most deals are today actually negotiated by exchange of document drafts with comments. Well-drafted legal documents not only articulate the terms of the transaction, but also protect and advance the client’s interests, reduce the likelihood of disputes, and establish the framework for successful business relationships.

This program integrates the legal principles, skills, and experience related to negotiating and drafting a range of contracts and other documents. It explores the underlying principles of law that apply to specific contract provisions and considers alternative ways to resolve issues in the document negotiation process. The focus is on producing readily comprehended legal documents.

Managing for Value: How to Develop and Use Alternative Billing Strategies
27 TUESDAY, 6 PM – 9 PM

Law firms of all sizes are increasingly discussing alternatives to the billable hour. More and more companies are using the economic environment as a reason to force rethinking of the billable hour. Getting management data from your accounting and timekeeping systems is crucial. This program will examine the methodology for understanding the relationship between fees billed, time spent and revenues collected, so the data can be used to devise flat fees and still make money for the law firm. You will learn how to obtain management data from your accounting and timekeeping system data to track practice area or attorney time and profitability, referrals in and out, and 80/20 client data.

Program Chair:
CAROL SCHIRO GREENWALD, Professional Services Marketing Consultant

Faculty:
GLEN SILVERSTEIN, Leader & Berkon LLP; ANDREA B. PRIGOT, President, Amicus Consulting, Inc.

Credit: 3.0 PP*

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
LITIGATION

Trial Skills: Protecting the Record
1 THURSDAY, 6 PM – 9 PM

Effective advocacy can be like walking a tightrope. How do you maximize your prospects for victory at trial while laying the foundation for a successful appeal at the same time? This interactive program, featuring a mock malpractice trial, will teach you the nuts and bolts of making your record, from jury selection to verdict and beyond.

Our panelists, consisting of prominent members of the appellate and trial judiciary, experts in appellate practice, and accomplished trial lawyers, will grapple with a variety of fascinating and thorny trial record issues that can ambush the unwary practitioner. You will learn techniques applicable to any personal injury case.

Program Chair:
JOHN P. LOPRESTI, JR, Law Offices of John P. LoPresti, Jr.

Faculty:
ANDREW BAROVICK, Law Offices of Steven E. North, P.C.; HON. LUCY A. BILLINGS, NYS Supreme Court Justice, Bronx County; HON. LUIS A. GONZALEZ, Presiding Justice, Supreme Court, Appellate Division, First Department; ROSS N. HERMAN, NYS Office of Attorney General; PATRICIA A. LUCA, Platzer, Luca & Pearl LLP; BRIAN J. SHOOT, Sullivan, Papain, Block, McGrath & Cannavo P.C.; JOYCE MORIN UTZ, Radna & Androsiglio LLP; JESSE S. WALDINGER, Waldinger Associates, P.C.

Credit: 3.0 Skills*

Sealing the Record: Current Issues in Litigation Confidentiality
5 MONDAY, 6 PM – 9 PM

This program will explore current issues in protecting the trade secrets or other confidential information from disclosure. A growing number of courts deny sealing requests even if they are supported by all parties. Who should attend? Federal and state practitioners interested in maximizing their chances of winning a sealing motion, or in counseling clients at the outset of litigation as to what information can realistically be protected from disclosure.

Program Chair:
MICHAEL J. FRIEDMAN, Winston & Strawn LLP

Credit: 3.0 PP* 3.0 total: 6.5 skills & 0.5 ethics*

A Walk Through the Courts
19 MONDAY, 6 PM – 8 PM

The court system can seem like a gigantic maze, particularly for beginning practitioners or even managing attorneys and their staff. So let’s be very practical. Focusing on the state and federal courts situated in New York County, we will take a step-by-step walk through the courts and the clerk’s offices. We will discuss literally to which room to go and to which clerks to speak. Attendees will be provided with helpful hints and information about some of the “unwritten rules” by which the clerks abide. A Walk Through the Courts is designed to help you and your staff get the job done most efficiently for your client.

Program Chair:
KENNETH M. MOLTNER, Bressler, Amery & Ross, P.C.

Faculty:
SUZANNE ALENICK, Managing Attorney, Freshfields Bruckhaus Deringer LLP; HON. ARTHUR ENGORON, New York City Civil Court Judge, New York County; RICHARD RODRIGUEZ, Managing Clerk, Sheppard Mullin Richter & Hampton LLP; JAMES A. ROSSETTI, Chief Deputy County Clerk, New York County Clerk’s Office

Credit: 2.0 PP*

Expert Testimony: Recent Developments and Practical Solutions to Common Practice Problems
28 WEDNESDAY 6 PM – 8:45 PM

This program focuses on identifying and resolving problems associated with the retention, noticing, preparation, and use of experts, both in motion practice and at trial. Recent developments will be highlighted, best practices will be emphasized, and practical solutions to common practice problems will be explored.

Program Chair:
DAVID PAUL HOROWITZ, Ressler & Ressler & Law Office of David Paul Horowitz

Faculty:
HON. EILEEN BRANSTEN, Supreme Court Justice, New York County, Civil Branch; BRUCE G. HABIAN, Martin Clearwater & Bell LLP; HON. LISA MARGARET SMITH, U.S. Magistrate Judge, Southern District of New York

Credit: 3.0 Skills*
REAL ESTATE

Hot Topics Affecting Cooperatives and Condominiums: Cases and Marketplace Developments in the Last Six Months
2 FRIDAY, 8:30 AM – 10:30 AM
This program is essential for those who practice coop/condo law. First there will be a review of cases decided in the past six months. A discussion dedicated to sponsor problems, issues, and remedies will follow. Each segment will have a short presentation followed by a full panel discussion to delve into and examine the fine points of each topic, including ILSA, construction defects, the Martin Act, and a sponsor’s refusal to give up control of the building.
Program Chair: ANDREW P. BRUCKER, Schechter & Brucker P.C.
Faculty: DALE J. DEGENSHEIN, Stroock & Stroock & Lavan LLP; RONALD JAY GOLD, Kagan Lubic Lepper Lewis Gold & Colbert, LLP; MATHEW J. LEEDS, Ganfer & Shore, LLP; STEVEN D. SLADKUS, Wolf Haldenstein Adler Freeman & Herz LLP
Credit: 2.0 PP*

Basics of Residential and Commercial Foreclosure and Beyond in Today’s Market
26 MONDAY, 6 PM – 9 PM
Handling foreclosures today is different than it once was. New York was the first state to comprehensively address the foreclosure crisis by overhauling its foreclosure laws. Many practitioners lack the understanding of the foreclosure process. Are you prepared to advise and represent your clients? This program will cover New York residential and commercial foreclosure in detail by discussing what you need to know to successfully and efficiently handle a mortgage foreclosure action and avoid pitfalls inherent in the process. Goals, procedures, strategies, and issues will be explored, along with “hot topics” including predatory lending and non-judicial foreclosure. The new subprime statute will be addressed. The program will also cover the latest and most important workout and restructuring objectives and strategies, as well as an overview of alternative workout models and several “hot tips” for lenders and borrowers both in the foreclosure process and in loan workouts.
Program Co-Instructors: BRUCE J. BERGMAN, Berkman, Henoch, Peterson & Peddy, P.C.; RICHARD S. FRIES, Bingham McCutchen LLP
Credit: 3.0 PP*

Tax & Accounting

Accounting for Lawyers: Beyond the Balance Sheet—Recognizing the Red Flags of Fraud
7 WEDNESDAY, 9 AM – 1 PM
Dare we say it: Accounting for lawyers can be fun? Our new program comes right from what you’ve told us you need to know about accounting. Instead of just a review of the basic financial statement, this program will help lawyers identify the markers of potential trouble. Listen to our lively and insightful lawyers, who have proven time and again their ability to make sense out of “numbers” and “spreadsheets,” as they team up with leading forensic accounting and business valuation experts to walk through several true-to-life scenarios. Case discussion will address three different “schemes”: revenue recognition, loan portfolio reserves and losses, and inventory valuation.
Program Chair: SHARI HELAINE LITTAN, Attorney & CPA, Litigation & Professional Education
Faculty: DANIEL L. BERGER, Pomerantz Haudek Grossman & Gross LLP; SHARON SABBA FIERSTEIN, CPA, Litigation & Corporate Financial Advisory Services, Marks Paneth & Shron LLP; HENRY B. GUBERMAN, CPA/ABV, CFF, CFE, CDA, DABFA, Principal, Lazar Lipron Valuation Services, A Division of Parente Randolph, LLC; ANNE MARIE MINOGUE, Associate Director, Business Risk Group, Protiviti; FRAN OBEID, Obeid & Lowenstein LLP; THOMAS REES, CPA, Managing Director, Forensic and Litigation Consulting, FTI Consulting; DANIEL ZELENKO, Crowell Moring LLP; JAMES D. ZIRIN, Sidley Austin LLP
Credit: 4.0 PP*

New York Law School Online Mental Disability Law Program

Announcing two new online offerings: a Master of Arts in Mental Disability Law Studies and a Certificate in Advanced Mental Disability Law Studies.

With the launch of the M.A. and Certificate—the only programs of their kind presented by an ABA-approved law school—New York Law School continues to be on the cutting edge of education by offering you innovative training as you work with, or on behalf of, persons with mental disabilities.

Apply for admission on a full- or part-time basis, or take any of our 12 courses on an individual basis.

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New courses for the coming academic year include:

- Mental Disability Law and Criminal Law
- Custody Evaluations, Juvenile and Family Law, and Mental Disability
- Race, Gender, Class, and Mental Disability

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AIDS
Letter to the Centers for Disease Control and Prevention, U.S. Department of Health and Human Services, supporting the Department’s proposed regulations, which would remove HIV from the list of “communicable diseases of public health significance” and remove HIV testing from the routine medical examination of lawful permanent resident applicants.

CIVIL RIGHTS
LEGAL ISSUES PERTAINING TO ANIMALS
Letter to Congress urging the repeal of the Animal Enterprise Terrorism Act (“AETA”), 18 U.S.C. § 43, because as currently drafted, the AETA’s expansive definition of damages threatens to criminalize public speech activities, and AETA infringes on protected First Amendment actions like pamphleteering, peaceful protest, and demonstrations by animal rights and other groups. The letter also urges that pending indictments under AETA be dismissed and that the Attorney General forebear from seeking any further prosecutions under the statute.

CORRECTIONS
Report expressing support for A.1747/S.3344, which would give the New York State Department of Health oversight of healthcare services in correctional facilities. Such oversight, the report argues, would ensure that health services at prisons and jails meet the same standards as hospitals throughout New York, significantly raising the overall level of professionalism in prison health care.

Report expressing support for A.8065/S.4368-A, which would strengthen the standard under which employers and licensing agencies in New York consider applicants and employees with criminal records, by requiring employers and state agencies to articulate an “immediate and substantial connection” of the criminal conviction to proposed (or current) employment that also creates an unreasonable risk to persons or property.

Report expressing support for A.2266/S.1266, the New York Voting Rights Notification and Registration Act, which would require courts to inform a defendant that incarceration for a felony conviction will result in the loss of voting rights at the time he or she pleads guilty or is sentenced, provide that defendants receive information regarding voting once they become eligible to vote, and require criminal justice agencies to inform the Board of Elections when an individual becomes eligible to vote after completing a term of incarceration.

CRIMINAL JUSTICE OPERATIONS
The report “Immigration Detainers Need Not Bar Access to Jail Diversion Programs” reviews the role that detainees play in the criminal justice and immigration systems and urges the removal of barriers to participation in jail diversion programs so that immigrants with detainers are not automatically disqualified (formally or informally) from consideration for participation in jail diversion programs.

EDUCATION AND THE LAW
Report opposing A.8398/S.5636, proposed New York legislation that would: (1) reduce the statute of limitations for due process claims under the Individuals with Disabilities Education Act (IDEA) for unilateral parental placement in a private school; (2) require mandatory mediation prior to commencement of a due process hearing under Education Law 3602-c; and (3) impose limitations on access to special education for students receiving transportation to non-public schools outside their district of residence. The report urges that the Legislature reject these portions of the Bill and defer consideration of all other provisions of the Bill until such time as the Regents have had an opportunity to consider the issues raised during the recent public hearings.

IMMIGRATION AND NATIONALITY LAW
Letter to the U.S. Department of Homeland Security urging it to review the current policy regarding mandatory detention under Section 236(c) of the Immigration and Nationality Act (INA) and start exercising discretion in the detention of lawful permanent residents even if an individual is an arriving alien under INA Section 101(a)(13)(C) or falls under the mandatory detention provisions of INA Section 236(c).

INTER-AMERICAN AFFAIRS
INTERNATIONAL SECURITY AFFAIRS

MILITARY AFFAIRS AND JUSTICE
Letter to U.S. Senate Committee on Foreign Relations urging that the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials be ratified as it will allow the United States to partner meaningfully with the Latin American nations to overcome common obstacles through collective action.

INTERNATIONAL HUMAN RIGHTS
Letter to the All China Lawyers Association expressing concern over reports by lawyers in China of increased harassment in the course of their work, in particular, the harassment of Shanghai human rights lawyer Zheng Enchong, the denial of annual licensing for numerous rights defense lawyers, and the continued disappearance of lawyer Gao Zhisheng. Such intimidation undercuts the role of lawyers, who are essential to a society to be governed by the rule of law, and is inconsistent with the international standards set forth in the UN Basic Principles on the Role of Lawyers.

Letter to the Prime Minister of Cambodia expressing concern that attorneys in Cambodia are being subjected to threats and intimidation. Such threats and intimidation are inconsistent with the Royal Government of Cambodia’s commitment to international standards as set forth in the UN Basic Principles on the Role of Lawyers.

Human Rights in Action: A Brief History of the New York City Bar’s Work to Promote Peace and Respect for Human Rights in Northern Ireland. This report surveys the Committee on International Human Rights’s longstanding work in Northern Ireland and its valuable and important role in promoting peace and respect for human rights in this region of the world.
INTERNATIONAL TRADE
Letter to the U.S. Department of State raising concerns about the new policy adopted by the Response Team of the Directorate of Defense Trade Controls that it will not respond to inquiries from external legal counsel unless counsel identifies all parties to the proposed or actual export transaction and specifies the defense article, data, or service involved.

LEGAL ISSUES PERTAINING TO ANIMALS
Report expressing support for the Shark Conservation Act of 2009 (S.850), which would amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to close the loophole that currently allows transport of shark fins that were illegally obtained as long as the fins were not obtained aboard that vessel, and correct the current shortcomings in the application of the finning ban in the U.S. Pacific Ocean. Both of these components will strengthen the ban on shark finning.

LESBIAN, GAY, BISEXUAL, AND TRANSGENDER RIGHTS
SEX AND LAW
Amicus Brief: Debra H. v. Janice R. filed with the New York State Court of Appeals. The brief urges the court to grant standing to the non-biological, non-adoptive mother of a child conceived by the mother’s same-sex partner through anonymous donor insemination and raised jointly by both mothers in the context of a committed relationship, to seek custody or visitation rights—as well as a duty of support—as to that child upon the dissolution of the parents’ relationship.

NATIONAL SECURITY AND THE RULE OF LAW, TASK FORCE
Letter to President Obama expressing concern with and opposition to legislation that would authorize indefinite or prolonged detention without trial of persons considered by the executive branch to be dangerous to national security.

PROFESSIONAL AND JUDICIAL ETHICS
Formal Opinion 2009-5 considers whether a lawyer may ask a witness to refrain from voluntarily providing information to an adversary, but the Rules do prohibit lawyers from assisting witnesses in avoiding court process, intimidating witnesses, or bribing them. In addition, the opinion advises that lawyers should remain wary of providing legal advice to unrepresented witnesses.

Formal Opinion 2009-6 considers whether (assuming informed consent at the outset of a joint representation of multiple clients) the clients may delegate complete authority to their lawyer to negotiate and bind them collectively to a settlement, thereby waiving any right to review and approve the settlement. The opinion concludes that the informed written consent of each and every client is required in order to bind multiple clients jointly represented by the same lawyer and that the requirement of individual informed consent may not be waived by any of the jointly represented clients.

STATE AND LOCAL TAXATION
The report The Quorum Problem Affecting the New York State and New York City Tax Appeals Tribunals examines the problem of Tribunals being unable to provide the required prompt analysis of tax controversies, because they lack the requisite quorum prescribed under the statute to render a decision, and there is no provision to allow a quorum to be formed. The report offers several possible solutions to the quorum problem and urges that corrective action be taken so that the Tribunals can deliver prompt and fair reviews.

The opinion concludes that under the New York Rules of Professional Conduct (the “Rules”), a lawyer may ethically ask a witness to refrain from voluntarily providing information to an adversary, but the Rules do prohibit lawyers from assisting witnesses in avoiding court process, intimidating witnesses, or bribing them. In addition, the opinion advises that lawyers should remain wary of providing legal advice to unrepresented witnesses.

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OCTOBER 2009 CLE REGISTRATION FORM

☐ Trial Skills: Protecting the Record
October 1
Live program (includes materials): $195 $205
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Hot Topics Affecting Cooperatives and Condominiums: Cases and Marketplace Developments in the Last Six Months
October 2
Live program (includes materials): $215 $225
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
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☐ Sealing the Record: Current Issues in Litigation Confidentiality
October 5
Live program (includes materials): $195 $205
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Book Only (no CLE credit): $105 $135

☐ Ethics, Discipline, and Real World Obligations
October 6
Live program (includes materials): $225 $235
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Book Only (no CLE credit): $105 $135

☐ Accounting for Lawyers: Beyond the Balance Sheet—Recognizing the Red Flags of Fraud
October 7
Live program (includes materials): $225 $235
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
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☐ Current Issues in Patent Practice
October 8
Live program (includes materials): $215 $225
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Real World Document Drafting®: Form, Style, and Substance
October 8
Live program (includes materials): $385 $485

☐ Insurance-Linked Securities: What You Need to Know About These Financial Instruments
October 9
Live program (includes materials): $215 $225
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Current Issues in Connection with Reductions in Force (RIFs) and RIF Litigation
October 13
Live program (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ The Cans and Can'ts of Trust Decanting: How to Pay Over Assets from One Trust to Another
October 14
Live program (includes materials): $215 $225
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Hot Topics in Bankruptcy Litigation 2009
October 15
Live program (includes materials): $215 $305
CDs (includes materials): $335 $405
Materials only (no CLE credit): $105 $135

☐ 16-Hour Bridge-the-Gap: Corporate and Litigation
October 16-23
Live program (both days): $475 $575
Live program (per days): $235 $275
CDs per day (includes materials): $485 $605
DVDs per day (includes materials): $645 $795
Materials only (no CLE credit): $235 $275

☐ A Walk Through the Courts
October 19
Live program (includes materials): $195 $205
CDs (includes materials): $335 $405
Materials only (no CLE credit): $105 $135

☐ Cap and Trade and Government Incentives for Renewable Energy
October 21
Live program (includes materials): $205 $315
CDs (includes materials): $335 $405
Materials only (no CLE credit): $105 $135

☐ Ethical Issues Routinely Confronted By Solo and Small Firm Practitioners
October 21
Live program (includes materials): $215 $325
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Basics of Residential and Commercial Foreclosure and Beyond in Today's Market
October 26
Live program (includes materials): $225 $235
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Managing for Value: How to Develop and Use Alternative Billing Strategies
October 27
Live program (includes materials): $205 $315
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Complying with FCPA in a Heightened Enforcement Environment: What Advice You Need to Give Your Clients and When
October 28
Live program (includes materials): $205 $315
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ "Say On Pay": Where We Are, How We Got Here, and Where We're Headed
October 29
Live program (includes materials): $225 $325
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

☐ Current Legal Ethical Issues
October 29
Live program (includes materials): $265 $375

☐ Hot Topics in Advertising and Marketing Law 2009
October 30
Live program (includes materials): $205 $315
CDs (includes materials): $335 $405
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

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.
BASIC TRAINING FOR LAWYERS: continued from back page

4:00 PM – 5:30 PM: Understanding a Law Firm as a Business and Your Role as an Associate
In this session you will learn about a law firm’s business structure, firm economics, and legal business fundamentals and how you, as an associate, affect the law firm as a business. Applying this knowledge will help you perform as a business-minded (and profitable!) associate and, ultimately, better serve your own legal career.

Speaker: RICK TRILLING, Professor, Boston University School of Law; Partner, Lemelman & Trilling

5:45 PM – 7:15 PM: Adding Value: How to Stand Out and Hit the Ground Running
It is more important now than ever to stand out as a junior attorney at your job. In this session, professional development directors and partners from leading firms will provide information on how to become an indispensable part of your legal team or practice group, with a focus on work habits and time management, professionalism, and the development of a specialty or expertise. You will learn how to become a “go-to” attorney, thereby increasing the security of your position and enhancing your professional success and satisfaction.

Moderator: IAN NELSON, Vice President, Practical Law Company

Speakers: MICHAEL S. HONG, Paul, Weiss, Rifkind, Wharton & Garrison LLP; SUSAN KOHLMANN, Jenner & Block; JOANNE OLLMAN, Chief Professional Resources Officer, Proskauer Rose LLP; JUNE WITTERSCHEIN, Professional Development Director, New York City Law Department

7:15 PM – 8:15 PM: Networking Reception

The fee for the program is $50 for members, $110 for non-members (includes 1 year of City Bar membership), and free to students and alumni of sponsoring law schools. Transitional NY MCLE credit may be available for some programs. For complete program descriptions and to register, please visit www.nycbar.org

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• Networking Breakfast
• Track 1 - Small Firm Startup on a Shoestring Budget
• Track 1 - Best Strategies to Grow Your Small Firm in a Down Economy
• Track 2 - Small Firm Tech Support
• Track 2 - Solo and Small Law Firms: Equalizing the Legal Playing Field
• Networking Lunch
• Plenary Session: Cost-Effective Marketing, Online Presence, and Social Networking
• Plenary Session: Escrow Accounts: Learn the Rules/Avoid the Pitfalls
• Plenary Session: Business Opportunities/Association’s Legal Referral Service
• Plenary Session: Cultivating Work-Life Synergy for a Solo or Small Law Firm Practitioner
• Wind-Down Reception with Live Music by the “Mad Jazz Hatters”

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Boot Camp 2009: Basic Training for Lawyers

This two-day program will provide recent law graduates and current law students with career planning information particularly relevant in a troubled economy, as well as practical and substantive insights into the practice of law. Whether seeking a job at a large or small law firm, in government or in public interest, these sessions will provide information that will help you achieve success when you join a firm or other legal employer.

Day One
Tuesday, October 13, 10 AM – 5 PM

10:00 AM: Registration

10:30 AM – 12:30 PM: Integrating Deferment/Unemployment into Long-Term Career Plans
Successful attorneys begin planning their careers well before their first job. At this session, recent graduates and law students will learn how to create and implement a successful career plan while doing so implement both professional and financial strategies for navigating deferments or unemployment.

Moderator: Lisa Cuevas, Director of Attorney Programs and Resources, Weil, Gotshal & Manges LLP

Speakers: Camille Chin-Kee-Fatt, Director of Career Services, Brooklyn Law School; Adam Hemlock, Weil, Gotshal & Manges LLP; Carol Kanerek, Principal, Kanarek & Brady LLC; Suzanne R. Katz, Financial Planning Specialist, Morgan Stanley Smith Barney LLC; Linda E. Laufer, Firmwide Director of Attorney Development, Morgan, Lewis & Bockius LLP

1:30 PM – 2:45 PM: Communication Skills All Young Associates and Students Should Learn
This session will provide tools to enhance listening and communication skills in order to better assess partners’ perspectives and goals and increase presentation effectiveness to generate confidence, instill trust, and communicate knowledge clearly.

Speaker: Jay Sullivan, Partner, Exec/Comm

3:00 PM – 5:00 PM: Networking—Establishing Strategic Alliances
The session will discuss the art of networking and how to meet potential employers and clients that will enable you to build and cultivate your own professional career support network. Speakers will provide tips on all aspects of personal marketing, including: how to present oneself in a professional environment, how to follow up on an initial contact, how to sustain meaningful contact, how to uncover potential career opportunities, and how to transform information into opportunity.

Speakers: Tracy Lalonde, Partner, Akina; Mark Parise, Kramer Levin Naftalis & Frankel LLP

Day Two
Wednesday, October 14, 1 PM – 8 PM

1:00 PM: Registration

1:30 PM – 3:45 PM: The Anatomy of Litigations and Transactions
In this session, you will learn the logistics of running a case from the filing of the complaint through the discovery process, pre-trial motions, and post-trial briefs. You will also learn about the negotiation of the key terms of a transaction and the drafting process, from a term sheet or letter of intent to the definitive transaction and ancillary documents.

Litigation Speaker: Steven Kobre, Kobre & Kim LLP

Transactional Speaker: Charles Fox, Fox Professional Development LLC

October Career Development and Networking Events and CLE Courses

1 Thursday, 6:30 PM – 10 PM
Dinner Cruise on the Spirit of New York Young Lawyers Connect – First Thursdays

6 Tuesday, 6 PM – 9 PM
CLE – Ethics, Discipline and Real World Obligations

6 Tuesday, 5:30 PM – 8:30 PM
Letting It All Hang Out: Better Lawyering Through Awareness of Client and Self

13 & 14, Tuesday & Wednesday
Boot Camp 2009: Basic Training for Lawyers

14 Wednesday, 6 PM
Intelligent Interviewing: Telling Your Story, Selling Yourself

15 Thursday, 6:30 PM – 8:30 PM
Program and Reception for 2010 International LLM Candidates

20 Tuesday, 7PM
City Bar Contemplative Lawyers Group – Practicing Law and Cultivating Wisdom: A Meditative Perspective

21 Wednesday, 6PM – 8 PM
CLE – Ethical Issues Routinely Confronted By Solo and Small Firm Practitioners

22 Thursday, 12:30 PM – 2 PM

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