For Solo and Small Firm Practitioners

PATRICIA M. HYNES, PRESIDENT

This issue of 44th Street Notes will feature the small firm practitioner. The common lore is that the large New York firms have a dominant presence in the Association. On the contrary, a major component of the Association’s membership has always been the small firm and solo practitioner. Moreover, the Association has always been particularly conscious of these lawyers and the contributions they make year after year to the City Bar and to the legal profession.

Solo and small firm practitioners handle an enormous range of matters, including complex business transactions generally associated with large law firms. Many of these practitioners also provide the critical legal services that help individuals gain access to the justice system to pursue their rights and resolve their disputes. In addition, small firm and solo practitioners perform a substantial share of the pro bono efforts of the City Bar Justice Center. In fact, the Center was initially made possible by drawing on these practitioners to provide pro bono immigration and family law assistance that was and still is vital to our community.

The City Bar also relies on solo and small firm practitioners for their perspective and leadership on our 160 committees. The views the Association expresses on law, public policy and judicial administration reflect the significant participation of solo and small firm lawyers, a number of whom chair committees or take the laboring oar in preparing reports and presenting CLE classes and public programs.

So we are dependent upon, and indebted to, the small firm and solo practitioner. The article below provides a brief description of some of the benefits we offer to this important sector of the Bar, while other sections of this issue cover areas we believe will also be of interest to this group.

Small is Big at the Bar

The Association is pleased to provide a range of services and benefits to help solo and small firm practitioners.

SMALL LAW FIRM CENTER

Our Small Law Firm Center is designed to directly service small firm and solo practitioners. The Director, Alla Roytberg, is happy to meet with members seeking advice in conducting or starting a practice. You can contact Alla at aroytberg@nycbar.org or 212.382.6638.

Each month, the Small Law Firm Center publishes an e-newsletter with practical information and helpful tips to address such challenges as starting and growing your firm, marketing your services and using technology to run your firm efficiently.

continued on p2
Contents
For Solo and Small Firm Practitioners 1
Small is Big at the Bar 1
Think Small: Make a Big Impact 6
City Bar Events 9
Calendars 14
CLE Courses 16
Committee Reports 24
November 2008 CLE Registration Form 26
Openings in the New York City Bar Association American Inn of Court 27
Professional Development: Weathering the Storm – Navigating a Small Firm in Uncertain Economic Times back page

44th Street Notes
Editor Eric Friedman
Associate Editor Christina Bruno
Graphic Design Curio Design LLC
Marketing Director Adele Lemlek
Advertising Alison Fidler 212.382.6753
Daniel Seid 212.382.4742
Executive Director Barbara Berger Opotowsky
Forty-Fourth Street Notes (ISSN 10791019) is published monthly except July and August for $25 per year by The Association of the Bar of the City of New York, 42 West 44th Street, New York, NY 10036-6604. Periodicals postage paid at New York, NY. Postmaster: Send address changes to 44th Street Notes, 42 West 44th Street, New York, NY 10036-6604. For subscription information, please call 212.382.6656.
Printed on recycled paper.
NYC Bar Members: To change your address, please contact 212.382.6656 or membership@nycbar.org.
www.nycbar.org

Small is Big at the Bar: continued from p1
The newsletter also includes information and updates on programs and events that may be of interest to small firm practitioners. If you are not receiving the newsletter and would like to, please visit the Members Only section of our website to update your member profile.

The Small Law Firm section of the City Bar website (http://www.nycbar.org/SmallFirmCenter/index.htm) links you to all our resources. The Center, along with our Committee on Small Law Firms, chaired by Olivia Medenica, conducts a series of luncheons and programs to help with everything from the latest in technology to how to manage your stress. On November 12, we will be hosting the fifth annual Law Practice Management Symposium: Making Your Small Firm Thrive in Uncertain Times, a day filled with helpful programs including a trade show where you can meet representatives of businesses that provide useful services to small firms and solos. You can register for the Symposium on page 12.

We know that small law firm practitioners need a community, so we have created an online discussion forum, accessible through our website, where you can discuss issues concerning practice management with fellow attorneys. You can also post messages free of charge for legal services, office space desired or available, and more.

The Small Law Firm Center, on the third floor of the House of the Association, offers a free conference room and another room with attorney workspace (including a computer work station) and a conference table. Both rooms are available to our members who practice solo or in small firms. The rooms, which are available Monday though Thursday from 9:00 a.m. to 8:30 p.m., Friday from 9:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 3:00 p.m., must be reserved in advance by calling 212.382.6666. We’re pleased to report that the rooms are heavily used by our members.

Library
The City Bar houses the largest private, non-academic law library in the country, which is at your disposal. In addition to the basic resources of cases, codes and law reviews, we have an extensive collection of treatises and free databases with a wide range of frequently-used and historic materials. Members can use Lexis and Westlaw free of charge in the Library, and they can obtain a discount if they open a Lexis account for their office and home use.

Small firm and solo practitioners can gain access to Westlaw Forms, Hein Online (legal periodicals, federal legislative history and other materials) and LLMC Digital (U.S. government documents, old case reports and other materials) databases through their office or home computer by logging on to the Members Only section of our website. You can use our copy services and, if necessary, borrow a volume. The Library staff, led by our consummate librarian, Richard Tuske, will help you find what you want.

Insurance and Discounts
Because we know that many small law firm practitioners do not have the same resources or benefits as their counterparts at the larger law firms, the City Bar designed many of our member benefits with the small firm and solo practitioner in mind. We have a range of insurance products, including professional liability, health, disability, long-term care, term life and worker’s compensation. Small firm and solo practitioners are also eligible for special discounts above the standard member discount on CLE programs.

There are also discounts for other business and financial services, all of which you can access by going to our website, www.nycbar.org, clicking on Small Law Firm Center and then clicking on Member Benefits.

Legal Referral Service
The City Bar can help small law firm practitioners grow their businesses in terms of both resources and clients. Hundreds of our members have joined the panels of our Legal Referral Service, one of the oldest, largest and most respected lawyer referral services in the nation. We receive over 100,000 calls per year from people seeking legal assistance. Lawyers must meet certain experience criteria and agree to the Service’s rules. To learn more about joining one of the referral panels, please go to the Legal Referral section of our website. Also keep the Service in mind as a place to refer people seeking assistance on a matter outside your areas of practice, or when co-counsel would be helpful.

continued on p3
ETHICS HOTLINE AND LAWYER ASSISTANCE PROGRAM

We aim to help lawyers who are facing difficult ethical decisions or dealing with serious personal problems. Our ethics hotline is staffed by members of our Professional and Judicial Ethics Committee, who rotate on a weekly basis. You can reach the hotline by calling 212.382.6624.

Lawyers with problems relating to alcohol or substance abuse, depression or other mental health issues can get help through our Lawyer Assistance Program, which provides advice and referrals and handles thousands of calls each year. Those who need assistance, or who know someone in need of help, can contact 212.302.5787 for a confidential consultation.

These are just some of the ways we try to help solo and small firm practitioners manage their practices and their lives. Of course, we invite you, like our other members, to join one of the Association’s 160 committees, attend our over 400 programs per year, and utilize our professional development programs and resources. This is your Association, so please take advantage of it.

Upcoming Events for Solo and Small Firm Practitioners

NOVEMBER 12
8:30 AM – 5 PM
Fifth Annual Law Practice Management Symposium: Making Your Small Law Firm Thrive in Uncertain Times

NOVEMBER 13
12:30 PM – 2 PM
Developing a Marketing Function for One or 100 Growing Your Practice Luncheon Series

NOVEMBER 18
12:30 PM – 2 PM

DECEMBER 16
8:30 AM – 10 AM
Effective Stress Management for Solos and Small Firms in Today’s Economy: Standing in Your Own Way Small Law Firm Breakfast

DECEMBER 18
12:30 PM - 2 PM
How to Get and Keep Clients Growing Your Practice Luncheon Series
Amid the financial woes of the last few weeks one thing has become clear — times are tough. Consumers hesitate before spending money and small businesses are tightening their belts. It is with this predicament in mind that the Small Law Firm Center of the New York City Bar has developed this year’s Fifth Annual Law Practice Management Symposium, entitled “Making Your Small Firm Thrive in Uncertain Times.” Its focus is on how solo and small firm practitioners can start up, maintain and grow their firms most efficiently during an unpredictable economic climate.

The Symposium, which will be held on Wednesday, November 12, 2008 at the House of the Association and is co-hosted with the New York Law Journal and co-sponsored by the Association of Legal Administrators, will last from 8:30 a.m. until 5 p.m. The workshops, which will be divided into a start-up track and a track for growing firms, will include information on office space, entity choice, tech support, equipment, marketing and finance. There will be workshops on how to write a business plan and properly maintain escrow accounts as well as workshops tailored to small firm litigators and real estate practitioners. You can also learn how to join the Legal Referral Service at the New York City Bar, get advice from the Small Business Administration and brainstorm with experienced solo practitioners in our "Seasoned Solo" Drop-In Center.

Most of the workshops will last 45 minutes and will provide participants with helpful handouts and checklists to use in their practice. The cost of attendance is $25 for New York City Bar members ($50 for nonmembers) and includes admission to all workshops, exhibit hall, breakfast, lunch and the music reception. To register, please visit our website at www.nycbar.org and click on the events calendar. If you have any questions, please email aroytber@nycbar.org.

$There can be economy only where there is efficiency.$ - Benjamin Disraeli
### WORKSHOPS

#### 9:00 - 9:45 am: Small Firm Startup on a Shoestring Budget
Explore entity choice, office space, billing and client database programs, and insurance needs for a newly born law practice.

**Moderator:** Mark Josephson, Murray & Josephson, CPAs, LLC
**Panelists:**
- Renard Wright, Bertholon-Rowland Corp.
- Stephen Luber, Your Wall Street Office Inc.
- Roy S. Lyons, Marsh Affinity Group Services
- Paul Sans, PSN Solutions

#### 10:00 - 10:45 am: Small Firm Marketing and Finance on a Shoestring Budget
What options are available when you need money to launch your practice? How can the US Small Business Administration help solo and small firm practitioners? Learn cost-effective marketing techniques which will help you along the way.

**Moderator:** Mark Josephson, Murray & Josephson, CPAs, LLC
**Panelists:**
- Martha Soffer, US Small Business Administration
- Carol Schiro Greenwald, MarketingPartners

#### 11:00 - 12:30 pm: Plenary Session - Escrow Accounts: Learn the Rules/ Avoid the Pitfalls
Learn what every solo and small firm practitioner needs to know about attorney escrow accounts. Get practical information on Attorney Trust Account and Recordkeeping, and court rules regarding missing client funds and dishonored checks.

**Moderator:** Deborah Rosenthal, Rosenthal Attorneys at Law, PC.
**Panelists:**
- Timothy O’Sullivan, Executive Director and Counsel, NYS Lawyers’ Fund for Client Protection
- Michael J. Knight, Deputy Counsel, NYS Lawyers’ Fund for Client Protection
- Sherry K. Cohen, First Deputy Chief Counsel, Departmental Disciplinary Committee, Supreme Court, Appellate Division, First Judicial Department

#### 1:30 - 2:15 pm: Business Plans for Lawyers
Learn what it takes to write a Business Plan and why it is imperative to do it as a solo practitioner or a small firm. Review Business Plan Components - the Executive Summary, Firm Description, Market Analysis and Marketing Strategy, Competitors and Finance. Learn how to optimize your relationship with your bank once you have assessed your financing needs.

**Moderator:** Robin Kravitz, Law Office of Robin Kravitz
**Panelists:**
- Ira Davidson, Director, Pace University Small Business Development Center
- Berk Saka, HSBC Premier Corporate & Professional Legal Team

#### 2:30 - 3:00 pm: Measurable, Cost-Effective Client Development Online
Learn how to develop clients online in a measured, cost-effective way. The session will explore the basics of Internet lead generation and ROI measurement.

**Speaker:** Clay Carter, LexisNexis Martindale-Hubbell

#### 3:00 - 4:00 pm: Plenary Session - Expand Your Client Base - Business Opportunities through the Association’s Legal Referral Service
Find out how to join the oldest and largest legal referral service in New York State. Learn how NYC Bar’s LRS works and how it can help you expand your client base.

**Speaker:** Allen Charne, Executive Director, Legal Referral Service, a Joint Service of the New York City Bar & NYCLA

#### 9:00 - 9:45 am: Growing Your Firm Responsibly
How do you grow your small law firm in a cost-effective way? Which laws apply to the employment process? How do you manage your staff? How do you select a retirement plan for your office and how do you use your website to expand your client base?

**Moderator:** Joseph Tremitt, Tremitt LLC
**Panelists:**
- Barry Jackson, ALA
- John Doyle, ABA Retirements Funds
- Tony Loscalzo, Findlaw
- Marcia Hel fried, Paychex, Inc.

#### 10:00 - 10:45 am: Small Firm Tech Support
Learn how to make your email work for you as an effective business tool and how to find reliable tech support. Get information on computer programs that can help your practice operate more efficiently.

**Moderator:** Anthony M. Verna, II Law Offices of Anthony M. Verna, II
**Panelists:**
- Alex Khan, RPost
- Harry Salavit, Tabs3
- Michael Cash, PC Law/I. Michael Cash & Associates
- Ian Jackson, Inspired Professionals LLC

#### 1:30 - 2:00 pm: Giving a Small Firm Litigator an Upper Hand to successfully compete with “the Big Guys”
Find out how to easily and cost-effectively navigate every stage of the litigation workflow. Learn to evaluate the case, your opponent’s expert witnesses, and to understand a judge’s thought process. This fast paced session will give you ideas and tips for streamlining your work to get more done in less time, and confidence to know that you will have the upper hand on your opponent.

**Speakers:**
- Dustin Allen, Field Sales Representative, Westlaw
- Joseph Kraemer, Regional Field Manager, Westlaw

#### 2:00 - 2:45 pm: Real Estate Practitioners’ Roundtable
How can real estate practitioners successfully overcome the challenges of today’s Housing market? This workshop will address the latest real estate market trends and help solo and small firm practitioners effectively restructure their residential real estate practice.

**Moderator:** Nathan Erlich, Nathan Erlich, PC.
**Panelists:**
- Marc Lawrence, American Land
- Jason Auerbach, Wells Fargo
- Alvin Ubell, Accurate Building Inspectors
- Joseph M. Incabao, 1031 Investment Services LLC
- Bill Mayweather, Easy Soft
Think Small: Make a Big Impact

THE NEIGHBORHOOD ENTREPRENEUR LAW PROJECT

Small businesses are the foundation of our economy, accounting for up to 80% of net new jobs over the last decade and employing half of all private sector workers, according to the Small Business Administration. But starting a business is not easy, especially for lower income individuals struggling to make ends meet in the current economic climate. Without an understanding of the relevant laws or the resources to access legal assistance, many potentially successful projects fail.

The City Bar Justice Center launched the Neighborhood Entrepreneur Law Project in 2003 to provide low to mid-income micro-entrepreneurs with the legal services necessary to get their businesses started on as sound a footing as possible. Volunteer attorneys guide clients through such matters as incorporation and tax issues, commercial lease negotiations, copyrights, trademarks and patents, and license and permit applications. Volunteer attorneys also offer presentations and legal clinics at community-based organizations on issues of concern to micro-entrepreneurs.

To date, the Project has partnered with more than 30 law firms and 15 community-based organizations to assist more than 4,000 clients through the provision of brief services, direct representation, legal clinics and community presentations. Since its inception, the Project has been directed by attorney Akira Arroyo. “It’s a wonderful opportunity for business-minded lawyers to give back to the community, and many of our volunteers tell me how rewarding it is to help a micro-entrepreneur,” said Arroyo.

A UNIQUE VOLUNTEER OPPORTUNITY

The Neighborhood Entrepreneur Law Project offers a unique opportunity for transactional attorneys to work on pro bono cases that are more in line with their practice area than traditional pro bono litigation work. The Project also provides training for attorneys who are new to transactional work, as well as access to mentors and other attorneys experienced in the field. As such, the Project presents an excellent opportunity for both attorneys at large corporate firms who may not have a great deal of time to become proficient in a new area of law and attorneys at smaller firms or solo practices who may be looking to expand upon their current experience.

TIPS FOR WORKING WITH SMALL BUSINESS OWNERS

Based on five years of experience, the Neighborhood Entrepreneur Law Project has come up with the following tips for working with small businesses.

Work closely with the referring organization to understand your clients and how you can help them. The Justice Center will work as a facilitator between you and the client, making sure that the lines of communication are open, assisting if any issues arise and providing additional resources or mentors if needed.

Think small for your client. While many micro-entrepreneurs may dream big, they need pro bono counsel to help them focus on the minute details of their small businesses. The primary need for most micro-entrepreneurs is for assistance in realizing their short-term goals, such as selecting the best corporate structure for their current situation, protecting their intellectual property rights and making sure they have the necessary licenses to get their business up and running.

Think small for yourself. You may want to get your feet wet by participating in one of the Project’s more discrete pro bono activities, such as a community-based presentation or legal clinic. This provides the opportunity to meet and interact in person with a group of varied micro-entrepreneurs, and can even spark an interest in you to work with a micro-entrepreneur to provide direct, ongoing representation.

- **Presentations.** Presentations are a great way to get involved with both clients and other attorneys. Materials are available for standard topics, and volunteers are generally required to make a time commitment of only two to three hours.

- **Clinics.** Clinics offer a team of interested attorneys the opportunity to provide brief counseling and limited assistance and guidance. Attorneys can assist a significant number of micro-entrepreneurs within a relatively short period of time, usually 30 minutes per client. Your legal team may even be able to “sponsor” a site and provide clinics on a regular basis (i.e. quarterly or monthly).

Work in teams. Attorneys may prefer to work with colleagues, as it allows for different opinions, varied expertise and a shared workload. Clients will also benefit from working with a team of attorneys, as there will always be someone available to address their concerns.

If interested in becoming involved with the Neighborhood Entrepreneur Law Project, please contact Marissa Seko at 212.382.6633 or mseko@nycbar.org.
Examples of Services Provided by Attorneys for the Neighborhood Entrepreneur Law Project

- Formation of a limited liability company for a steel die manufacturing enterprise, owned and operated by an immigrant entrepreneur.
- Formation of an S-corporation and negotiation of a commercial lease for a beauty salon opened in Brooklyn by a female immigrant entrepreneur.
- Formation of a limited liability company for a restaurant in Brooklyn.
- Application for a patent for a handheld juicer reviewed and submitted on behalf of a disabled woman living on a fixed income in Harlem.
- Protection of a trade name and trademark for a t-shirt designer in Queens.
- Formation of a limited liability company and negotiation of a sales contract for a small Mexican restaurant opened in Queens.

“We are two people with modest incomes, and the patent and incorporation process would have been nearly impossible without pro bono help. Everyone involved has been extremely supportive, reliable and accessible. Most importantly, despite our pro bono status, we have never been treated as though we were secondary to a paying client.”

— NELP clients

-INCREASE YOUR PRODUCTIVITY with-

PC Law Software
and Lexis® Back Office powered by PC Law

Fully Integrated:
Time & Client Cost Entry, Billing, Accounting
Excellent Financial & Management Reporting
Includes Practice Management functions such as:
- Calendaring and Contact Management
- Document and Email Management

We Provide:
Exceptional on-site & online troubleshooting, support services, and training on a 24/7 basis;
Online billing and bookkeeping services available.

Ask us about our FREE
PC LAW
SYSTEM UTILIZATION ASSESSMENT

I. MICHAEL CASH & ASSOCIATES, LLC
Law office Consulting, Coaching and Advisory Services
NY TEL: 212-962-4222 EMAIL: mcash@imcassociates.net
NJ TEL: 973-271-6990

-INCREASE YOUR PRODUCTIVITY with-

PC Law Software
and Lexis® Back Office powered by PC Law

Fully Integrated:
Time & Client Cost Entry, Billing, Accounting
Excellent Financial & Management Reporting
Includes Practice Management functions such as:
- Calendaring and Contact Management
- Document and Email Management

We Provide:
Exceptional on-site & online troubleshooting, support services, and training on a 24/7 basis;
Online billing and bookkeeping services available.

Ask us about our FREE
PC LAW
SYSTEM UTILIZATION ASSESSMENT

I. MICHAEL CASH & ASSOCIATES, LLC
Law office Consulting, Coaching and Advisory Services
NY TEL: 212-962-4222 EMAIL: mcash@imcassociates.net
NJ TEL: 973-271-6990

“The court is sorry that it raised its voice.”

From The New Yorker legal cartoon archive
Our top quality benefits plans can be custom-tailored to provide employees with benefits they need while maximizing the value of your company’s insurance investment.

**PROFESSIONAL**

• **Employee Benefits—**
  Medical, Dental, Vision,
  Short and Long-term Disability,
  Full-time & Part-time Liability.

• **Business Insurance—**
  Professional Liability,
  Corporate Professional Liability
  for Moonlighting Attorneys,
  Workers Compensation,
  Business Owners Protection,
  Employment Practices Liability.

**PERSONAL**

• Life Insurance, Disability Income,
  Long Term Care, Auto & Home Insurance.

These plans reflect our commitment to provide your association with one of the best member benefit programs around.

Make the *right* choice.
USI Affinity.
Phone: 1.800.727.2525
E-mail: info@usiaffinity.com
Web: www.usiaffinity.com
Seniors and their Companion Animals, Service Animals and Emotional Support Animals

3 MONDAY, 8:30 AM – 5 PM

This program will address the topic of seniors and companion animals, service animals and emotional support animals.

Purpose of program: To introduce and explain: 1) the Senior Companionship Pet Program (“SCPP”); 2) the future of SCPP and what can be done in order to keep seniors and their animals in their own residences; 3) current housing laws regarding keeping animals in condominiums, apartments and co-ops; 4) seniors and animals within one of the following establishments: nursing home/adult home, skilled nursing facility, assisted living facility, veterans home, group home environments for seniors; and 5) estate planning for the care of animals.

Who should attend: 1) attorneys who work with: a) senior citizens; b) disabled individuals; c) any of the homes listed above; d) any of the animals described above; e) landlord/tenant/housing issues of senior citizens and disabled individuals in relation to these animals and f) clients who need estate planning; 2) individuals who work with seniors as social workers, geriatric care managers or administrators, either within the community or within the homes listed above; 3) caregivers to seniors, 4) individuals who work in the area of animal advocacy, animal protection, animal rescue, animal shelters, etc., and 5) anyone who has an interest in seniors and animals.

Program Chair:
MELISSA GILLESPIE
Member, Committee on Legal Issues Pertaining to Animals

Speakers:
HON. JOSEPH R. LENTOL
Assembly Member 50th AD, Chair, NYS Assembly Committee on Codes

MARSHA FLOWERS, LMSW
Director of Professional Relations, SeniorBridge

DR. SUSAN P. COHEN, DSW
Director of Counseling, The Animal Medical Center

ALEXANDRA COLLIER
Director of Volunteer Services and Special Projects, Jewish Association for Services for the Aged (“JASA”)

CAROLINE VAN ZANDT
Pets Project Coordinator, JASA

DARRYL VERNON
Vernon & Ginsburg, LLP

CLARI GILBERT, RN, MA
Executive Vice President, Beth Abraham Family of Health Services

ROGER J. HALBERT
Administrator/CEO, Chase Memorial Nursing Home

ROXANNE TENA-NELSON, JD, MPH
Executive Vice-President, Continuing Care Leadership Coalition (“CCLC”)

FRANCES CARLISLE
Law Office of Frances Carlisle

RACHEL HIRSCHFELD
Rachel Hirschfeld, LLC

The fee, which includes materials, continental breakfast and afternoon refreshments, is $50 for members, $70 for nonmembers and $35 for non-attorneys. Earn 4 CLE credits.

For more information, please contact Melissa Gillespie at mgillespie@mgillespie.net or 631.827.7266. Registration is necessary. Please register online at www.nycbar.org

The fee, which includes materials, continental breakfast and afternoon refreshments, is $50 for members, $70 for nonmembers and $35 for non-attorneys. Earn 4 CLE credits.
Break from the Law: A City Bar Initiative for Practicing and Re-entering Lawyers Program Series

MIND THE GAP: MARKETING YOUR BEST SELF

6 THURSDAY, 11 AM – 12:30 PM

This program for practicing and re-entering lawyers will address the fundamentals of marketing oneself to potential employers, both before and after a job interview. A panel of experts in career planning and transitioning will offer advice on how to draft effective resumes and cover letters and follow up after interviews. The panelists will offer a variety of ways lawyers can express positive information and messages about time spent out of the work force and/or away from the legal profession in resumes, cover letters and discussions with prospective employers.

Moderator:
GIL ALLISON
Senior Vice President, Career Consulting, Right Management Consultants

Speakers:
CAROL KANAREK
Kanarek & Brady LLC
BRUCE BLACKWELL
President, Career Strategies International

The fee is $15 for members, $25 for nonmembers. Please register online at www.nycbar.org

Young Lawyers Connect – First Thursdays

CITY BAR EXCLUSIVE SHOPPING EVENT AT BROOKS BROTHERS

6 THURSDAY, 6 PM – 8 PM

Join us at Brooks Brothers for an evening of hors d’oeuvres, drinks, music, and discounts. Shop Brooks Brothers this night and receive 15% off the purchases you make during the event. A percentage of the proceeds will be donated to the City Bar Justice Center, our pro bono affiliate. Stock up on holiday gifts for your loved ones, and gifts for yourself, while networking with your peers. Please Note: This program will take place at Brooks Brothers, 346 Madison Avenue (at 44th Street), Manhattan.

This event is free, but please register online at www.nycbar.org.

Co-Hosted by

Brooks Brothers

So, You Want to be a Lawyer? (Almost) Everything You Need to Know When Applying to Law School

6 THURSDAY, 6:30 PM – 8 PM

Whether you’re in high school or college, or looking to change careers, this program is just for you! Come hear a panel discuss the nuts and bolts of the law school application process and what to expect in law school and beyond. A reception will follow and light refreshments will be served.

No fee required. Please RSVP to Jodi Savage at lspchairman@yahoo.com

Friday Evening Chamber Music

7 FRIDAY, 6 PM

Violinists David Sheng and Lear Janiv, violinist Ellen Butters, cellist Larissa Koehler, and pianist Alok Dutt will play the Brahms Piano Quintet and various string quartets.

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

Fifth Annual Law Practice Management Symposium: Making Your Small Firm Thrive in Uncertain Times

12 WEDNESDAY, 8:30 AM – 5 PM

Please see pages 4-5 for details.

Small Law Firm Luncheon
GROWING YOUR PRACTICE
A three-part luncheon series

13 THURSDAY, 12:30 PM – 2 PM

Developing a Marketing Function for One or 100, Session 2: How much marketing muscle do you need to grow? Should you bring someone in-house, outsource or do it yourself? This luncheon will assist you in determining the best course of action, how to budget and how to measure the results.

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

Speaker:
MARSHA GOLDEN
Managing Partner, DJD Golden

Sponsored by Lexis/Nexis

Registration by November 10 is necessary. The fee, which includes lunch, is $25 for members, $35 for nonmembers. Please register on page 12 or online at www.nycbar.org

Explorers and Exploits in Online Social Networking: Balancing the Risks to Copyrights, Privacy, and Security

13 THURSDAY, 6 PM – 9 PM

A panel discussion of online social networks, such as those formed through Facebook, YouTube, LOOPt and Twitter. The panel will explore the personal and organizational challenges of these networks and assess the efforts to balance the copyright, security and privacy risks.

Moderator:
ROLAND L. TROPE
Trope and Schramm LLP; Adjunct Professor, Department of Law, U.S. Military Academy; co-author of Checkpoints in Cyberspace: Best Practices for Averting Risks in Cross-Border Transactions

Speakers:
CHRIS KELLY
Chief Privacy Officer, Facebook

LOUISE NEMSCHOFF
Entertainment and Intellectual Property Lawyer, Nemschoff Law Offices, Los Angeles

Please see pages 4-5 for details.

www.nycbar.org
Presentation of Honorary Membership to Chief Justice Chaudhry

17 MONDAY, 6 PM

Iftikhar Muhammad Chaudhry, who was removed as Pakistan’s Chief Justice by President Musharraf and became a symbol of the movement for judicial and lawyer independence in Pakistan, will be presented with an Honorary Membership in the Association.

Small Law Firm Management Lunch

SESSION ONE: DECISION-MAKING IN THE SMALL LAW FIRM

18 TUESDAY, 12:30 PM – 2 PM

Decision-making in small partnerships is difficult because there is typically no “decider.” Poor or unmade decisions often have significant negative consequences. This seminar is intended to help partners understand the issue in context and to assess their firm’s decision-making qualities. At the end of the session, participants will receive a decision-making checklist and template for use in their firms.

Presenters:
FRANK SCHNEIGER, PH.D
President, SK Associates

JAMES KEARNEY
Senior Vice President, SK Associates

Panelists:
MINDY STERN
Schoeman Updike & Kaufman

TODD PICKARD
Balber Pickard Maldonado and Van Der Tuin

NOTE: This Luncheon Program is tailored specifically to the needs of Small Firms rather than Solo Practitioners.

Registration by November 10 is necessary. The fee, which includes lunch, is $25 for members, $50 for nonmembers. Attendance is limited to 20 participants.

ADR Luncheon
Deal Mediation: A New Use For An Old Friend

14 FRIDAY, 12 PM – 2 PM

Attend this informative luncheon program and learn about the growing trend of deal mediation. Our experienced panel of mediators and attorneys will demonstrate how deal mediators can help you successfully “close the deal.” Program attendees will also learn how using a neutral mediator can increase client satisfaction by saving time and money.

Speakers:
HAROLD ABRAMSON
Faculty Member, Touro Law Center

L. MICHAEL HAGER
President, The Education for Employment Foundation (EFE)

JOAN STEARNS JOHNSEN
Mediator & Arbitrator

Registration by November 7 is necessary. The fee, which includes lunch, is $20 for members, $30 for nonmembers. Please register on page 12 or online at www.nycbar.org
The Annual Justice Ruth Bader Ginsburg Distinguished Lecture on Women and the Law
18 TUESDAY, 6 PM
Please join us for the annual Justice Ruth Bader Ginsburg Distinguished Lecture on Women and the Law. The Lecture will be preceded by a buffet reception.
6:00 pm - Buffet Reception
7:00 pm - Welcome

PATRICIA M. HYNES  
President, New York City Bar

Introduction:

HON. RUTH BADER GINSBURG  
Justice of the Supreme Court of the United States

Lecture: What a Judge Knows

LINDA GREENHOUSE  
Pulitzer Prize-Winning Journalist; Former Supreme Court Correspondent of The New York Times; Knight Distinguished Journalist-in-Residence and Joseph M. Goldstein Senior Fellow in Law, Yale Law School

Registration by November 14 is necessary. The fee is $100 for members, $150 for nonmembers and $50 for non-profit or government lawyers. Please register at www.nycbar.org. For more information please contact Martha Harris at 212.382.6607.

Regional Rounds of the 59th Annual National Moot Court Competition
19 WEDNESDAY, 5 PM & 8 PM
20 THURSDAY, 5 PM & 8 PM
The 59th Annual Moot Court Competition presents two issues not previously addressed by the United States Supreme Court: First, does Section 2 of the Religious Land Use and Institutionalized Persons Act exceed Congress’s power under the Fourteenth Amendment and violate the Establishment Clause? And, second, does the Individuals with Disabilities Education Act limit tuition reimbursement only to children who have received public special education and related services through attendance at a public school?

Participating schools:
Brooklyn Law School, Cardozo Law School, City University of New York School of Law, Cornell University School of Law, Fordham University School of Law, Hofstra University School of Law, New York Law School, New York University School of Law, Pace University School of Law, Rutgers School of Law-Newark, Seton Hall University School of Law and St. John’s University School of Law.

Presented in conjunction with:
American College of Trial Lawyers

Save the Date
Association Medal to be awarded to Chief Judge Judith S. Kaye
TUESDAY, DECEMBER 9
Congratulations! You’ve Passed the Bar!
THURSDAY, DECEMBER 4
6 PM – 8 PM

NOVEMBER 2008 REGISTRATION FORM

☐ Seniors and their Companion Animals, Service Animals and Emotional Support Animals  
3 Monday  
The fee, which includes materials, is $50 for members, $70 for nonmembers, $35 for non-attorneys

☐ Fifth Annual Law Practice Management Symposium  
12 Wednesday  
The cost of attendance is $25 for members, $50 for nonmembers

☐ Small Law Firm Luncheon  
13 Thursday  
The fee, which includes lunch, is $25 for members, $35 for nonmembers

☐ ADR Luncheon  
14 Friday  
The fee, which includes lunch, is $20 for members, $30 for nonmembers

☐ Small Law Firm Management Lunch  
18 Tuesday  
The fee, which includes lunch, is $25 for members, $50 for nonmembers

Name

No. of Reservations

Company

Address

City     State     Zip

Phone

Email

Total Enclosed $

Please charge:  ☐ Mastercard  ☐ Visa  ☐ American Express

Card Number     Exp. Date

Signature

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.
Seeking a reliable referral source or qualified co-counsel?

CALL THE LEGAL REFERRAL SERVICE
Executive Director, Allen Charne at (212) 382-6775 or
Managing Attorney, Clara Schwabe at (212) 382-6715

Help us serve callers who require legal advice and representation,
while we help your business by referring new clients and increasing your income.

Membership is open to lawyers who actively practice in New York who meet
experience and expertise requirements and agree to the Rules of the Service.
Call (212) 382-6775 today for more information.

Visit www.nycbar.org or www.ilawyer.org
Co-sponsored by the New York County Lawyers’ Association.

First Thursdays Series
YOUNG LAWYERS CONNECT

CITY BAR EXCLUSIVE
SHOPPING EVENT
AT BROOKS BROTHERS

Join us at Brooks Brothers for an evening of drinks, music, and discounts. Shop Brooks Brothers
merchandise and receive 15% off the purchases you make during the event. A percentage of the proceeds
will be donated to the City Bar Justice Center, our pro bono affiliate.

*Offer is valid during event at the Madison store only, redeemable for merchandise only, may not be combined with any other offer. Qualifying amount applies to merchandise only
and does not include sales taxes, shipping and handling, monogramming and engraving, alterations or personalization, not valid on previous purchases, or for the purchase of gift cards, if you return some or all merchandise, the dollar value of the
proceeds is not refunded or credited back to your account, void in states where prohibited by law. No cash value except where prohibited. If the cash value is $1/50 cent.

DATE/TIME
Thursday, November 6, 2008
6-8 pm

LOCATION
Brooks Brothers
346 Madison Ave. (at 44th St.)
Manhattan

FEE
Free

REGISTER
www.nycbar.org/YLCRegister.htm
212.382.4723

CO-HOSTED BY
Brooks Brothers

SPONSORS
ClearChannel
New York Law Journal
vault
<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>8:30 AM – 5 PM Seniors and their Companion Animals, Service Animals and Emotional Support Animals</td>
<td></td>
<td>4 PM – 6 PM Pro Bono and the In-house Attorney: Getting Going, Building Momentum and Managing Ethical Conflicts</td>
<td></td>
<td>11 AM – 12:30 PM Break from the Law 6 PM – 8 PM Young Lawyers Connect – Shopping Event at Brooks Brothers 6:30 PM – 8 PM So, You Want to be a Lawyer?</td>
<td></td>
<td>6 PM Friday Evening Chamber Music</td>
</tr>
<tr>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>8:30 AM – 5 PM Making Your Small Firm Thrive in Uncertain Times</td>
<td>12:30 PM – 2 PM Small Law Firm Luncheon: Growing Your Practice 6 PM – 9 PM Explorers and Exploits in Online Social Networking</td>
<td></td>
<td>12 PM – 2 PM ADR Luncheon Deal Mediation: A New Use For an Old Friend</td>
</tr>
<tr>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
</tr>
<tr>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29/30</td>
</tr>
<tr>
<td>Day</td>
<td>Time</td>
<td>Course Title</td>
<td>Credits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>------</td>
<td>--------------</td>
<td>---------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>6 PM - 9 PM</td>
<td>Structuring &amp; Negotiating Private Equity Investments</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>6 PM - 9 PM</td>
<td>Managing the Changing Employment Relationship in the Financial Services Industry</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>9 AM - 12:30 PM</td>
<td>Taxing &amp; Troubled Times: Tax Planning &amp; Advice for Today’s Businesses</td>
<td>3.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>6 PM - 9 PM</td>
<td>Creating a Client-Focused Law Firm: Keeping Your Clients Satisfied</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>6 PM - 9 PM</td>
<td>The Resolution of Environmental Interest Disputes: An Emerging Area of Practice</td>
<td>7.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>6 PM - 9 PM</td>
<td>Ethical Issues for Matrimonial Lawyers</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>6 PM - 9 PM</td>
<td>Creating a Client-Focused Law Firm: Keeping Your Clients Satisfied</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>6 PM - 9 PM</td>
<td>Structuring &amp; Negotiating Private Equity Investments</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>9 AM - 4:30 PM</td>
<td>The Resolution of Environmental Interest Disputes: An Emerging Area of Practice</td>
<td>7.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>9 AM - 4:30 PM</td>
<td>The Resolution of Environmental Interest Disputes: An Emerging Area of Practice</td>
<td>7.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>6 PM - 9 PM</td>
<td>Ethical Issues for Matrimonial Lawyers</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>6 PM - 9 PM</td>
<td>Creating a Client-Focused Law Firm: Keeping Your Clients Satisfied</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>9 AM - 12:30 PM</td>
<td>Privacy &amp; Security Law: Advising Clients How to Collect, Use &amp; Protect Information</td>
<td>3.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>9 AM - 12:30 PM</td>
<td>Privacy &amp; Security Law: Advising Clients How to Collect, Use &amp; Protect Information</td>
<td>3.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>9 AM - 12:30 PM</td>
<td>Privacy &amp; Security Law: Advising Clients How to Collect, Use &amp; Protect Information</td>
<td>3.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>9 AM - 12 PM</td>
<td>Super Search Engine Strategies</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>9 AM - 12 PM</td>
<td>Super Search Engine Strategies</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>1 PM - 4 PM</td>
<td>Investigative Research</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>6 PM - 9 PM</td>
<td>Representing Clients Before State &amp; City Agencies</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>6 PM - 9 PM</td>
<td>Representing Clients Before State &amp; City Agencies</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>8 AM - 12:30 PM</td>
<td>Hot Topics in Employee Benefits 2008</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>8 AM - 12:30 PM</td>
<td>Hot Topics in Employee Benefits 2008</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>9 AM - 12 PM</td>
<td>The Disciplinary Process – How It Works</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>9 AM - 12 PM</td>
<td>The Disciplinary Process – How It Works</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>9 AM - 1 PM</td>
<td>Video Replay: Introduction to Futures &amp; Derivatives Practice &amp; Regulation</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>9 AM - 1 PM</td>
<td>Video Replay: Introduction to Futures &amp; Derivatives Practice &amp; Regulation</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>9 AM - 1 PM</td>
<td>Video Replay: Introduction to Futures &amp; Derivatives Practice &amp; Regulation</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>9 AM - 1 PM</td>
<td>Video Replay: Introduction to Futures &amp; Derivatives Practice &amp; Regulation</td>
<td>4.5 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29/30</td>
<td>9 AM - 12 PM</td>
<td>The Disciplinary Process – How It Works</td>
<td>3.0 credits*</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The program provides transitional credit for newly admitted attorneys*
BANKRUPTCY

Guarantees, Surety Bonds & Letters of Credit In Bankruptcy: Traps for the Unwary

18 TUESDAY, 6 PM – 8 PM

This program will cover the rights and obligations of parties to guarantees, surety bonds and letters of credit when the principal obligor becomes the subject of bankruptcy proceedings. The discussion will encompass issues such as the impact of the automatic stay on the rights of beneficiaries and obligees to pursue claims against guarantors, sureties and letter of credit issuers; the effect of recoveries from third parties on the remaining claim against the debtor; the potential for avoidable transfer liability associated with indirect preferences; and the competing rights of parties to excess proceeds of guarantees, surety bonds and letters of credit.

Program Chair:
STEVEN WILAMOWSKY
Bingham McCutchen LLP

Faculty:
STEPHEN M. HRYNIEWICZ
Bingham McCutchen LLP
MARK N. PARRY
Moses & Singer LLP

Live Program (includes materials):
Member $215, Nonmember $325

CLE credit: 2.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

CONSUMER PROTECTION

Privacy & Security Law: Advising Clients How to Collect, Use & Protect Information

14 FRIDAY, 9 AM – 12:30 PM

Virtually every industry relies to some degree upon the collection, use and storage of information. While business and customer data can be a valuable asset to leverage, there are legal obligations that must be observed. Privacy and security of data are now key concerns of every client, and attorneys should be familiar with the general privacy principles and laws that apply in order to guide clients properly in any industry. This session will provide an overview of the hottest issues in privacy and security law, including security breaches, privacy policies, industry-specific obligations, new and pending legislation and practical guidance to help any organization better manage its information gathering, dissemination and use practices.

Program Co-chairs:
ALAN CHAPPELL
Chapell & Associates
GARY KIBEL
Davis & Gilbert LLP

Faculty:
DAMON C. GREER, CIPP
Director
U.S.-EU Safe Harbor Framework
U.S. Department of Commerce
International Trade Administration

HILARY WANDALL, CIPP
Chief Privacy Officer
Attorney and Corporate Privacy Officer
Merck & Co., Inc.

Live Program (includes materials):
Member/non-legal professionals $205,
Nonmember $315

CLE credit: 3.5 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

CORPORATE & SECURITIES

Structuring & Negotiating Private Equity Investments

5 WEDNESDAY, 6 PM – 9 PM

This program will provide an overview of the contractual, regulatory, tax and economic issues involved in structuring and negotiating private equity investments from a private equity fund perspective. It will cover basic private equity fund structures and terms, their impact on private equity investments, and associated tax and regulatory issues facing private equity fund investors. In addition to addressing private equity fund structures and issues, topics covered will include co-investment structures and direct private equity transactions, primary and secondary investments in private equity funds as well as ‘direct secondary’ investments. The program will also address issues and considerations arising under the Federal Investment Advisers Act of 1940, the Federal Securities Act of 1933, the Federal Employee Retirement Security Act of 1974, and relevant U.S. and non-U.S. tax considerations. Finally, the program will cover recent trends and developments affecting the private equity investment market in light of recent economic and regulatory developments.

Program Chair:
STEPHEN CULHANE
Linklaters LLP

Faculty:
JOHN AIELLO
Legal Director, Private Equity Group
Goldman Sachs
LORNA BOWEN
Linklaters LLP
Investment Management Group
PHILIP H. HARRIS
Skadden, Arps, Slate, Meagher & Flom LLP
JOHN P. HORBOSTEL
Managing Director & Deputy General Counsel
Head of Alternatives Legal
AIG Investments
Securities Offering Process:
The Basics & Beyond

21 Friday, 9 AM – 12 PM

This program will provide you with a primer on securities law and then take you through the mechanics of the offering process. The faculty will explain how the SEC works and will provide a sample timetable for an offering. Various types of offerings, such as shelf offerings and SPACs (special purpose acquisition companies), will be explained, as well as the advantages of each offering. Attendees will leave the seminar with a basic yet comprehensive understanding of securities offering processes.

Program Co-chairs:
N. ADELE HOGAN
White & Case LLP

NORMAN D. SLONAKER
Sidley Austin LLP

Faculty:
BRUCE C. BENNETT
Covington & Burling

STEVE BURWELL
Director & Counsel
Deutsche Bank

LISA FIRENZE
Executive Director & Senior Counsel
UBS

LESLIE K. GARDNER
Assistant General Counsel
JP Morgan

KENNETH L. JOSSELYN
Managing Director
Goldman Sachs & Co.

BRIAN KORN
Senior Vice President
Citigroup

JAMES M. LURIE
Osler, Hoskin & Harcourt LLP

STUART S. MOSKOWITZ
General Counsel
International Business Machines Corporation

GLEN RAE
Head of Global Equities Legal
Banc of America Securities

KATHLEEN SHANNON
Senior Vice President, Secretary & Deputy General Counsel
American International Group, Inc.

Live Program (includes materials):
Member $225, Nonmember $335

CLE credit: 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

Video Replay: Introduction to Futures & Derivatives Practice & Regulation

25 Tuesday, 9 AM – 1 PM

This program will provide an introduction to the regulation, trading and documentation of exchange-traded futures contracts and over-the-counter (OTC) financial derivatives. It will examine the key federal statutes affecting the futures and OTC derivatives industries, namely, the Commodity Exchange Act, the Securities Act of 1933 and the Securities Exchange Act of 1934, as well as certain important exemptions and exclusions from the federal statutory scheme. It will also examine recent documentation initiatives, litigation, regulatory developments and enforcement actions relevant to a wide range of market participants, including OTC derivatives dealers, futures commission merchants, financial institutions, hedge funds, pension funds, corporations and others.

Program Chair:
ROBERT MCLAUGHLIN
Katten Muchin Rosenman LLP

Faculty:
CONRAD G. BAHLKE
Weil, Gotshal & Manges LLP

GARY ALAN DEWAAL
Senior Vice President & Group General Counsel
Fimat USA, LLC

CURTIS DOTY
Shearman & Sterling LLP

SUSAN C. ERVIN
Dechert LLP

GEOFFREY B. GOLDMAN
Cleary Gottlieb Steen & Hamilton LLP

ROBERT F. KLEIN
Managing Director and Counsel
Citigroup Global Markets Inc.

CINDY W. MA, PH.D., CPA, CFA
Managing Director
Houlihan Lokey Howard & Zukin

CHARLES R. MILLS
Kirkpatrick & Lockhart Preston Gates Ellis LLP

MICHAEL S. SACKHEIM
Sidley Austin LLP

DON THOMPSON
Managing Director & Associate General Counsel
JP Morgan Chase & Co.

Video Replay (includes materials):
Member $335, Nonmember $475

CLE credit: 4.5 credits in professional practice. Video replay does not provide transitional credit.

CRIMINAL LAW

Representing Clients Before State & City Agencies: Tips & Techniques for Effective Criminal Advocacy

19 Wednesday, 6 PM – 9 PM

From the investigation of the State Executive Branch to the scrutiny of contractors involved in projects located within New York City, recent current events have demonstrated the importance of advocacy skills before State and City agencies such as the State Inspector General’s Office, the City Department of Investigation, the City Department of Buildings and the City Conflicts of Interest Board. Focusing on the investigative and/or regulatory authority granted to these and other State and City agencies, and examining the due process employed by those agencies, this program will provide practitioners with an understanding of the
rules and manner under which these agencies operate, the ramifications for clients who are the subject of an agency inquiry and insights on how best to practice before these agencies.

Program Co-chairs:
GIA L. MORRIS
Inspector General
New York City Department of Investigation
ANDREW LANKLER
Lankler & Carragher, LLP

Faculty:
BARRY GINSBERG
General Counsel
New York State Commission on Public Integrity
MARJORIE LANDA
Deputy Commissioner for Legal Affairs
New York City Department of Investigation
CAROLYN MILLER
Director of Enforcement
New York City Conflicts of Interest Board
CLAUDE M. MILLMAN
Proskauer Rose LLP

Live Program (includes materials):
Member $175, Nonmember $285

CLE credit: 3.0 credits total: 2.5 professional practice & 0.5 ethics. This live program provides New York & California transitional/non-transitional credit to all attorneys.

ENVIRONMENTAL LAW

The Resolution of Environmental Interest Disputes: An Emerging Area of Practice

10 MONDAY, 9 AM – 4:30 PM

This program will examine the role of lawyers in the resolution of environmental interest disputes. Panels will discuss the use of alternative dispute resolution in traditional institutional settings such as the New York State court system, federal court litigation regarding environmental liability, local land use decision-making agencies and State of New York DEC administrative law proceedings. In these settings, alternative dispute resolution techniques are frequently and successfully employed by attorneys for the affected parties.

The skills and techniques lawyers use in these traditional settings will be described and discussed as a prelude for examining the resolution of critical environmental, land and resource conflicts that are not adjudicated in these familiar settings. The program will concentrate on the management and resolution of environmental conflicts in which rights are less well developed, conflicts are new and rapidly evolving, stakeholders are many, and there are fewer obvious forums for conflict resolution.

Co-Sponsored by The Kheel Center on the Resolution of Environmental Interest Disputes and Pace University School of Law

Program Co-chairs:
RACHEL E. DEMING
Scarola Ellis LLP
PAMELA R. ESTERMAN
Sive, Paget & Riesel, P.C.
CHRISTINE FAZIO
Carter Ledyard & Milburn LLP

Luncheon Speakers:
DEAN JOHN D. FEERICK
Founder & Director
Feerick Center for Social Justice and Dispute Resolution
Fordham University School of Law and Chair, New York State Commission on Public Integrity
ROBERT J. KHEEL
Willkie Farr & Gallagher LLP

Faculty:
DAVID C. BATSON
Senior ADR Specialist
United States Environmental Protection Agency
Washington, DC
GAIL BINGHAM
President, Resolve
Washington, DC
BARRY A. BROOKS
Paul, Hastings, Janofsky & Walker LLP
THOMAS C. COLLIER
Steptoe & Johnson LLP
Washington, DC
AMY L. DUVALL
Director, Regulatory & Technical Affairs
American Chemistry Council
Arlington, VA
STEPHEN J. FRIEDMAN
President, Pace University
RIDGEWAY M. HALL, JR.
Crowell Moring LLP
Washington, DC
WILLIAM H. HYATT, JR.
K & L Gates LLP
Newark, NJ

MICHAEL K. LEWIS
Mediator & Arbitrator
JAMS
Washington, DC
ERIC R. MAX
Director, Office of Dispute Settlement
New Jersey Public Advocate Department
Trenton, NJ
HON. JAMES T. McCLYMonds
Chief Administrative Law Judge
New York State Department of Environmental Conservation
Office of Hearings
STEVEN M. MORGAN
Vice President & Assistant General Counsel
Regulatory/Health, Environment and Safety
Waste Management
Houston, TX
JOHN R. NOLON
Director
The Kheel Center on the Resolution of Environmental Interest Disputes
Pace University School of Law
SEAN F. NOLON
Director, Alternative Dispute Resolution
Associate Professor of Law
Vermont Law School
South Royalton, VT
KATHY ROBB
Hunton & Williams LLP
JOSEPH SIEGEL
Senior Attorney
Regional Alternative Dispute Resolution Specialist
United States Environmental Protection Agency
Michele Simon
Dean, Pace University School of Law
LINDA SINGER
President, Center for Dispute Resolution
Washington, DC
JOHN J. SULOWAY
Vice President
Project Development, Licensing & Compliance,
New York Power Authority
EDNA R. SUSSMAN
Hoguet Newman Regal & Kenney, LLP
JAMES T.B. TRIPP
General Counsel
Environmental Defense Fund
HON. CURTIS E. VON KANN
Arbitrator & Mediator
JAMS
Washington, DC
ETHICS

Ethical Issues for Matrimonial Lawyers

12 WEDNESDAY, 6 PM – 9 PM

A panel of experts will discuss the intersection of a matrimonial lawyer’s ethical duties under the Lawyer’s Code of Professional Responsibility, malpractice concerns and the cost of litigation. The experts will discuss how to address issues that may arise when the cost of the litigation runs up against the bounds of advocacy. The topics of the program will include civility between counsel, cases involving malpractice and the legal and ethical issues that arise during each phase of litigation.

Program Chair:
JUDITH WHITE
Ira E. Garr P.C.

Faculty:
A. MICHAEL FURMAN
Furman Kornfeld & Brennan LLP
PAMELA SLOAN
Sheresky Aronson Mayefsky & Sloan LLP
PHILIP TOUITOU
Hinshaw & Culbertson LLP

Live Program (includes materials):
Member $205, Nonmember $315

CLE credit: 3.0 credits in ethics. This live program provides New York & California transitional/non-transitional credit to all attorneys.
LABOR & EMPLOYMENT

Managing the Changing Employment Relationships in the Financial Services Industry

6 THURSDAY, 6 PM – 9 PM

Change is a constant on Wall Street. As a result of recent market developments, there is perhaps more change than ever. In this annual program, a panel of prominent attorneys, representing both individuals and firms in employment matters, will focus on the nature of today’s changes and how to manage them. Particular incentive compensation structures, garden leave, non-solicit, and other post-employment restrictions typical to the financial services industry present unique issues when employees, individually or in groups, are terminated or resign and join other firms. What are the issues? How are those issues managed most effectively by both firms and employees so as to avoid dispute? How does counsel handle the disputes that inevitably follow these changes?

Program Chair:
ROBERT KRAUS
Kraus & Zuchlewski LLP

Faculty:
PENNY P. DOMOW
Executive Director & Assistant General Counsel
JP Morgan Chase & Co.
WAYNE N. OUTTEN
Outten & Golden LLP
THEODORE O. ROGERS, JR.
Sullivan & Cromwell LLP
MARTIN L. SCHMELKIN
Vice President & Associate General Counsel
Goldman Sachs

Live Program (includes materials):
Member $215, Nonmember $325

CLE credit: 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

Hot Topics in Employee Benefits 2008

19 WEDNESDAY, 8:15 AM – 12:30PM
8 AM (NETWORKING BREAKFAST SESSION)

For City Bar Members...

Health Insurance
Small groups (2–50 employees) still have time to open High Deductible Health Plans and take advantage of the ability to make tax-free contributions to Health Savings Accounts in 2008.

By enrolling in an HDHP before December 1st, members can open an HSA and contribute up to $2,900 for individuals or $5,800 for families prior to January 1st. Two qualified HDHPs are available from Oxford that can help you save significantly on premiums. That savings can be used to fund your HSA. Use the funds to pay for qualified medical expenses or let them accumulate year after year.

Mercer Select
Small groups that purchase their health insurance through Marsh are also eligible to enroll in Mercer Select HRKnowHow at no charge.

If you play a role in your group’s health care and benefit plan decisions, you know that staying current on the issues is challenging, especially with today’s increasingly complex marketplace and regulatory conditions. If you need to stay current on health & benefit issues, need sample forms for required compliance tasks such as COBRA, or need at-a-glance information about important HR matters, Mercer Select HRKnowHow may be the perfect solution for you.

Assistance
For more information on the Mercer Select HRKnowHow program, or to receive a quote on your small group medical plan, please contact Marsh at 888-882-2269, or e-mail NYCBAR.Insurance@marsh.com.

Administered by:
MARSH

Sponsored by:
NEW YORK CITY BAR

© 2008 Seabury & Smith Insurance Program Management • CA License #0633005
777 South Figueroa Street, Los Angeles, CA 90017 • 888-882-2269 • www.MarshAffinity.com • NYCBAR.Insurance@marsh.com • 10/08
Marsh is part of the family of MMC companies, including Kroll, Guy Carpenter, Mercer, and the Oliver Wyman Group (including Lippincott and NERA Economic Consulting).
Learn how to develop best practices on fiduciary issues to help ensure the most favorable outcomes for benefit plan participants, including best practices on selecting, monitoring and removing investments and investment professionals, and recent regulatory developments involving investment advice, default investments, claims administration and vendor selection.

This program is designed for both in-house and outside legal counsel as well as human resources, compensation and employee benefits professionals. Special Feature: This program will begin with a networking breakfast at 8 a.m.

Program Co-chairs:
MARJORIE M. GLOVER
Chadbourn & Parke LLP

RANIA V. SEDHOM
Principal
Buck Consultants, LLC

Faculty:
KEVIN J. BRENNAN
Dwyer & Brennan

FREDERICK A. BRODIE
Pillsbury Winthrop Shaw Pittman LLP

BRADFORD P. CAMPBELL
Assistant Secretary
Employee Benefits Security Administration
United States Department of Labor

MATTHEW L. EILENBERG
Senior Legal Consultant
Watson Wyatt Worldwide

SCOTT M. FELDMAN
Voluntary Compliance Program Coordinator
Internal Revenue Service

CARL A. HESS
Global Practice Director
Watson Wyatt Worldwide

ROSANN C. MILIAN
Director
Buck Consultants, LLC

LESLIE R. PAUL
Office of Division Counsel/Associate Chief Counsel (Tax Exempt & Government Entities)
Internal Revenue Service

WILLIAM E. RYAN, III
Executive Director
Legal & Compliance Division (ERISA Law)
Morgan Stanley

ALAN N. TAWSHUNSKY
Deputy Division Counsel/Deputy Associate Chief
Internal Revenue Service

Live Program (includes materials):
Member $335, Nonmember $475

CLE credit: 4.5 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

LAW FIRM PRACTICE MANAGEMENT

Creating a Client-Focused Law Firm: Keeping Your Clients Satisfied

13 THURSDAY, 6 PM – 9 PM

This course will look at the perception gap between in-house counsels’ views of client service and lawyers’ views of the service they provide, and at key areas in which this can be changed by incorporating client perspectives into the practice of law. The course will focus on three areas: what in-house counsel think of current service and what they want, how to create client-focused practice areas and attorney teams, and how to create shared-risk fee arrangements.

Program Chair:
CAROL SCHIRO GREENWALD, PH.D.
Professional Services Marketing Consultant

Faculty:
REED AUERBACH
Co-chief Executive Officer
McKee Nelson LLP

WENDY BERNERO
Chief Marketing Officer
McKee Nelson LLP

GLEN A. SILVERSTEIN
Leader & Berkon

Live Program (includes materials):
Member $215, Nonmember $325

CLE credit: 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

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

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

Find Out How the Internet Really Works:

• Identify and Use the Best Search Engines
• Develop Super Search Engine Strategies
• Explore Meta-Search Sites
• Key into Google’s “Advanced Search” Menu
• Understand Fundamental Distinctions Between the “Visible” and the “Invisible” Web
• Locate Information from the “Invisible” Web
• Learn Tools to Search “Smarter not Harder”
• Uncover Ways to Find Deleted Web Pages

Attendees will receive a copy of Carole Levitt and Mark Rosch’s 330-page book, The Cybersleuth’s Guide to the Internet, IFL Press, 2008 — a $59.95 value! This book is utilized for both “Cybersleuth’s Guide to the Internet” programs and attendees of both programs will receive only one book.

Program Co-Instructors:
CAROLE LEVITT
President
Internet For Lawyers

MARK ROSCH
Vice President
Internet For Lawyers


Live Program (includes materials):
Member $195, Nonmember $305

www.nycbar.org
Attend the morning program, “Super Search Engine Strategies” and receive a reduced rate of $135 member and $245 nonmember for the afternoon program, “Investigative Research Strategies.”

CLE credit: 3.0 credits in practice management. This live program provides New York & California transitional/non-transitional credit to all attorneys.

The Cybersleuth’s Guide to the Internet: Investigative Research for the Legal Professional

18 TUESDAY, 1 PM – 4 PM

A lawyer’s research involves much more than just finding cases and statutes, and whether you’re a transactional lawyer looking for information on a company, a consumer attorney tracking down a defective product, a matrimonial attorney searching for a spouse’s assets or a litigator looking for a missing witness, the Internet can be an indispensable source of information.

Nationally recognized Internet trainers and authors of The Cybersleuth’s Guide to the Internet will show you how to find and use specific Web sites to unearth factual and investigative information FREE (or at low cost) on the Net. Instead of first turning to experts, consultants, skip tracers and private investigators, seminar attendees will quickly learn how to be their own Cybersleuth.

The ABA’s most recent Technology Survey found that while nearly 90% of attorneys used the Internet “to research news or current events,” less than half were using the public records or company background information, both of which are freely available on the Internet. Attorneys who think they’re “using the Internet in their practice” because they are reading the news or checking their stock portfolios online run the risk of having cases dismissed, losing cases or facing a malpractice suit...because of information they’ve missed.

Learn How to Search Like a Private Investigator:

- Find out How to Dig Up “Dirt” about the Opposition
- Uncover Information to Attack a Witness’s Credibility
- Seek out the Smoking Gun
- Mine the Web for Missing People
- Discover Addresses (Home and Email) and Phone Numbers (Even Cellular)
- Locate Someone’s Aliases, Employer’s Name, Political Persuasion
- Glean Private or Personal Information from Usenet Postings
- Unearth Assets
- Learn Why Social Network Sites are Becoming the Latest & Greatest Investigative Tool
- Discover Quick and Easy Methods to Access Public Records:
  - Birth & Death Records
  - Social Security Numbers
  - Liens, Judgments, UCCs
  - Bankruptcies and Dockets
  - Real & Personal Property Records
  - Business Owning
- Criminal Backgrounds

Attendees will receive a copy of Carole Levitt and Mark Rosch’s 330-page book, The Cybersleuth’s Guide to the Internet, IFL Press, 2008 – a $59.95 value! This book is utilized for both “Cybersleuth’s Guide to the Internet” programs and attendees of both programs will receive only one book.

Program Co-Instructors:
CAROLE LEVITT
President
Internet for Lawyers

MARK ROSCH
Vice President
Internet for Lawyers


Live Program (includes materials):
Member $195, Nonmember $305

Non-Profit Organizations

Accounting Issues for Nonprofit Organizations for the Non-Accountant

20 THURSDAY, 6 PM – 9 PM

This program is intended to equip the practicing attorney or nonprofit manager with most of the tools one needs to run or advise on the financial and accounting operations within a nonprofit organization. Even if you do not have a professional understanding of accounting principles and financial reporting, this program will make it all clear with complex accounting rules explained in terms non-accountants can easily understand in order to help you better fulfill your legal, fiduciary and managerial duties. This program is suitable for anyone who needs to read and understand a nonprofit financial statement, and therefore this is the ultimate not-an-accountant’s course re: nonprofit accounting. Finally, this program is designed to update nonprofit board members, executive directors and other senior managers on the accounting basics they should know for day-to-day operations.

Program Chair:
ELIOT P. GREEN
Loeb & Loeb LLP

Faculty:
MATTHEW McCROSSON, CPA
O’Connor Davies Munns & Dobbins LLP

CHRISTOPHER D. PETERMANN, CPA
O’Connor Davies Munns & Dobbins LLP

GORDON M. SIESS, CPA
Holz Rubenstein Remnick LLP

Live program (includes materials):
Member $215, Nonmember $325

CLE credit: 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys. Portions of this program may qualify for CPE credit.
Tax “ing” & Troubled Times:
Tax Planning & Advice for Today’s Businesses

7 FRIDAY, 9 AM – 12:30 PM

As the economy enters more troubled times, it is important to reorient our tax thinking to address the tax issues presented by distressed transactions. Debt write downs, insolvencies, foreclosures, bankruptcies and investments in troubled businesses all present a variety of challenging and novel tax issues. This panel will outline basic federal principles and explore recent federal legislation in the area. We then will turn to a rather unique and not often covered topic—state and local tax traps practitioners need to be sensitive to in planning and implementing transactions in these times.

Program Chair:
CAROLYN JOY LEE
Jones Day

Faculty:
RITA D. DUMAIN
Chief, Tax & Bankruptcy Litigation Division
Office of the Corporation Counsel of the City of New York

DEBRA S. HERMAN
Roberts & Holland LLP

MARIA T. JONES
Kramer Levin Naftalis & Frankel LLP

PETER C. LEONARDIS
Jones Day

HON. GLENN NEWMAN
President, New York City Tax Commission

Program Chair:
CAROLYN JOY LEE
Jones Day

Faculty:
RITA D. DUMAIN
Chief, Tax & Bankruptcy Litigation Division
Office of the Corporation Counsel of the City of New York

DEBRA S. HERMAN
Roberts & Holland LLP

MARIA T. JONES
Kramer Levin Naftalis & Frankel LLP

PETER C. LEONARDIS
Jones Day

HON. GLENN NEWMAN
President, New York City Tax Commission

PATRICIA M. HYNES, PRESIDENT, NEW YORK CITY BAR
and
THE CYRUS R. VANCE CENTER FOR INTERNATIONAL JUSTICE

- invite you to a cocktail reception for -

LATIN AMERICAN FOREIGN ASSOCIATES
and others interested in the Vance Center’s work in Latin America

The 1st Cyrus R. Vance Access to Justice Award will be bestowed that evening in recognition of individuals who have made a significant contribution to international pro bono.

NOVEMBER 11, 2008
6-8 PM

NEW YORK CITY BAR
42 West 44th Street | New York, NY 10036

rsvp Elise Colomer
212.382.6795 | ecolomer@nychbar.org

Sponsored by
JURISCRIBE
CORPORATE & LEGAL TRANSLATION SERVICES
CHILDREN, COUNCIL ON
Letter to Governor Paterson urging that New York State take steps to ensure that in an effort to maintain the State budget, necessary financial reductions do not unduly impact the needs of at-risk children, youth and families.

ENVIRONMENTAL LAW
A Guide to Understanding Climate Change Legislation. The report recommends ways to reduce the emissions of greenhouse gases through legislation that imposes a cap-and-trade or carbon tax approach. In addition, the report discusses the criteria by which such legislation can be evaluated, summarizes various pieces of climate change legislation pending in Congress, introduces the Regional Greenhouse Gas Initiative and discusses the practical experience that the European Union has gained with its Emissions Trading Scheme, presents local-level initiatives that can be part of a comprehensive climate change portfolio, and concludes by presenting an approach to greenhouse gas emissions reduction that would be the most effective in achieving the necessary emissions reductions.

INTERNATIONAL HUMAN RIGHTS
Letter to the President of the Republic of Belarus expressing concern over the detention and physical mistreatment of Emanuel Zeltser, an American attorney, and the detention of his assistant, Vladlena Funk, a permanent resident of the United States, in Belarus. Such actions, the letter argues, are inconsistent with Belarus’s obligations under international agreements, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Inhuman or Degrading Treatment or Punishment (CAT).

LEGAL ISSUES PERTAINING TO ANIMALS
Report expressing support for the American Horse Slaughter Prevention Act (H.R. 503/S.311), which would amend the Federal Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling or donation of horses and other equines to be slaughtered for human consumption and for other purposes. Report supporting the proposed federal Great Ape Protection Act (H.R. 5852), which would eliminate invasive biomedical research and testing on all great apes and prohibit the use of federal funds for this purpose. The report supports the legislation generally and recommends that the legislation be expanded to cover a prohibition on behavioral research, and argues that the three-year deferral of effectiveness of the proposed statute is not necessary.

LETTER TO THE GOVERNOR OF NEW YORK
Letter to Governor Paterson urging that he sign into law S.5920-A/A.246-B, which would prohibit the issuance of licenses to new slaughterhouses located within 1,500 feet of residential properties.

Report expressing support for S.2439, which would require the National Incident Based Reporting System, the Uniform Crime Reporting Program and the Law Enforcement National Data Exchange Program to list cruelty to animals as a separate offense category, thereby ensuring that the case tracking database relied upon by the FBI includes all animal cruelty offenses.

MILITARY AFFAIRS AND JUSTICE
Letter to the U.S. Department of Veterans Affairs expressing concern with the VA’s reported exclusion of outside non-partisan voter-registration assistance at federally financed nursing homes, rehabilitation centers and shelters for homeless veterans.

PROFESSIONAL AND JUDICIAL ETHICS
Formal Opinion 2008-01 considers what ethical obligations a lawyer has to retain and provide e-mails and other electronic documents relating to a representation. The Opinion concludes that: (1) a lawyer is not under an ethical obligation to organize electronic documents in any particular manner, or to store those documents in any particular storage medium, so long as the manner of organization and storage does not (a) detract from the competence of the representation or (b) result in the loss of documents that the client may later need and may reasonably expect the lawyer to preserve; (2) a client has a presumptive right to the lawyer’s entire file in connection with a representation, subject to narrow exceptions, including electronic documents; (3) a lawyer may charge the client a reasonable fee for gathering and producing electronic documents; and (4) it is prudent for lawyer and client to discuss the retention, storage and retrieval of electronic documents at the outset of the engagement and to consider memorializing their agreement in a retention letter.

Formal Opinion 2008-02 considers when inside counsel represent corporate affiliates: (a) under what circumstances must they consider the propriety of representing or continuing to represent those affiliates? (b) may a conflict between those affiliates be waived? and (c) are there steps that can be taken in advance to enhance the possibility that inside counsel may continue to represent some or all of the affiliates after a conflict arises? The opinion describes several steps that inside counsel may take to enhance the possibility that the representation of at least one affiliate, typically the parent corporation, may continue in the face of a conflict with another corporate affiliate.
SEX AND LAW

Report supporting, with certain suggested modifications, the passage of Program Bill No. 16, the Reproductive Health and Privacy Protection Act. The Act would modernize New York law by moving the provisions that regulate abortion and contraception from the New York State Penal Law to the Public Health Law. In addition the Act would: (1) provide that only qualified licensed health care practitioners would be authorized to perform abortions within the parameters of the Act, (2) ensure that unauthorized abortions would be treated as a matter of professional misconduct, (3) provide a fundamental right to privacy with respect to reproductive decisions and (4) bring New York law into line with United States Supreme Court precedent that requires states to permit termination of a pregnancy even after fetal viability when necessary to protect a woman’s health.

STATE COURTS OF SUPERIOR JURISDICTION

Letter to Chief Administrative Judge Pfau noting that while Judicial Hearing Officers (JHO’s) are valuable in reducing crowded dockets, speeding the pace of resolutions, utilizing the experience of retired judges and managing the court system, certain safeguards should be put in place so that parties and counsel assigned to a JHO will be fully cognizant of the circumstances.

STRUCTURED FINANCE

Letter to the American Securitization Forum commenting on the RMBS Disclosure Package. The letter supports the goals of the proposal to establish best practices for industry participants and transparency of disclosure related to securitization transactions, as these will increase confidence of investors in mortgage and asset-backed securities and efficiency in the marketplace. The letter expresses a number of concerns with some of the details in the proposal and offers suggestions for how the proposal can be improved.
<table>
<thead>
<tr>
<th>November 3</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$225</td>
<td>$335</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$225</td>
<td>$275</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$275</td>
<td>$335</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$315</td>
<td>$375</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 6</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 7</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 10</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$425</td>
<td>$545</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 12</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 13</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 14</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 18</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$195</td>
<td>$305</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$59.95</td>
<td>$59.95</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 19</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 21</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 24</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 25</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$335</td>
<td>$475</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$445</td>
<td>$615</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$555</td>
<td>$685</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$605</td>
<td>$705</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$195</td>
<td>$285</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>November 28</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$195</td>
<td>$305</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$59.95</td>
<td>$59.95</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 5</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 11</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 12</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 19</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$195</td>
<td>$305</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$59.95</td>
<td>$59.95</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 21</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$215</td>
<td>$325</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December 28</th>
<th>Member</th>
<th>Nonmember</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Program (includes materials):</td>
<td>$205</td>
<td>$315</td>
</tr>
<tr>
<td>CDs (includes materials):</td>
<td>$335</td>
<td>$405</td>
</tr>
<tr>
<td>Videotapes (includes materials):</td>
<td>$405</td>
<td>$475</td>
</tr>
<tr>
<td>DVDs (includes materials):</td>
<td>$445</td>
<td>$535</td>
</tr>
<tr>
<td>Materials only (no CLE credit):</td>
<td>$105</td>
<td>$135</td>
</tr>
</tbody>
</table>

**REGISTRATION**

Advance registration is advised for live programs and 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, 42nd West 44th Street, New York, NY 10036.

**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 $35 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, faxed to the City Bar Center, 212.869.4451.

Refunds and program credits are not available for the purchase of tapes, CDs, DVDs, course materials or online programs. Scholarships are available. Please call 212.382.6663 for an application.

Certificates for attending a program are given out and signed by a CLE staff member at the end of the program. You are responsible for keeping a copy of the CLE certificate for your own records. An administrative fee of $10 will be charged for replacement CLE certificates.

**CLE CREDIT INFORMATION**

CLE credit applies to New York and California (for live programs only). Illinois credit differs and ethics credits are pending.
Openings in the New York City Bar Association American Inn of Court

The New York City Bar Association American Inn of Court is one of four chapters of the American Inns of Court in New York City, which were created to foster excellence in professionalism, ethics, civility and legal skills. The Inns build camaraderie and professional relationships and promote bench-bar relations by allowing judges and lawyers to gather in an informal, intimate setting in which ideas and issues relevant to our profession both locally and nationally are discussed.

The City Bar Inn is seeking new members in the following categories — Barristers (five-15 years of experience), Associates (fewer than five years), and Pupils (third year law students).

Meetings are monthly, except for the Summer, and consist of substantive CLE programs put on by member-teams. Each team has a cross-section of the New York bar, including judges and practitioners at all levels of practice. Members are asked to attend at least five of the nine meetings and to commit to active participation in one CLE program.

If you are interested in being considered for membership, please complete the application form at http://www.innsofcourt.org/inns/nyinn. Information on Inn dues is also provided at that site.
Weathering the Storm
Navigating a Small Firm in Uncertain Economic Times

“You’ve decided to embark on a new and daring voyage—starting your own practice—but is this a good time? The economy is uncertain at best, more lawyers are out of work and more clients are delaying paying their bills. Even if you have been in a successful small firm practice until now, how do you help your firm weather current economic storms? The key is to remember that with new challenges come new opportunities. Clients who have previously felt comfortable paying the high fees of large law firms now turn to smaller firms to address their legal needs. Bankruptcy, employment law and contingency fee practice areas emerge as recession-proof alternatives to the basic bread-and-butter residential real estate practice of a solo practitioner.

For startups and existing small firms, “creativity and frugality” should be the mantra of today, and with this in mind, here are some suggestions for strengthening your business:

1. THE VISION TEST
Preparing a business plan, or reviewing your current plan, will help you get your practice organized and will provide a handy “reality check” list against which you can measure the progress of your practice. Does your current practice area bring in enough revenue? Consider expanding into a related area that is still in demand despite economic turmoil, or joining forces with a partner who can help recession-proof your practice.

2. CREATE/ENHANCE YOUR “VIRTUAL REPUTATION”
Do you have a Web site? Does it need a “facelift?” By now every lawyer should have a site, even if it is as simple as an online business card. Create and write your own blog, and post substantive comments on other blogs in your practice area. Doing so will help improve your reputation and give you an Internet presence at a nominal cost.

3. MARKET MORE, BUT ECONOMICALLY
Present a free seminar to potential or existing clients on some aspect of your practice that is relevant to helping those experiencing an economic downturn. Join networking groups and actively participate on committees.

4. BE VERY CAREFUL WITH OVERHEAD
Review your monthly expenses. Do you need to reduce your staff to bare essentials and sublet some of your available space? Should you create a letterhead template to help save on expensive stationery?
Can you outsource some functions, like switching from a receptionist to an answering service?

5. NURTURE YOUR EXISTING CLIENTS AND REFERRAL SOURCES
Most importantly, go out of your way to retain existing clients. Show them that you care and that your service is unique. Send birthday emails and thank you notes, and check in with clients periodically even after their cases have been completed. Create a reminder system to ensure that each client receives at least one telephone call each month, and that you communicate with your top five referral sources at least once a month.

While it is difficult to predict how the current economic turmoil will affect solos and small firms in the long run, careful planning, creative marketing, frugality and a healthy dose of optimism should help in weathering the storm and continuing to thrive.

“The secret of getting ahead is getting started. The secret of getting started is breaking your complex overwhelming tasks into small manageable tasks, and then starting on the first one.”
— Mark Twain