TOWN AND VILLAGE COURTS:
A BLUEPRINT FOR CHANGE

By Barry Kamins, President

Last year, I formed a Task Force to address the well-documented problems facing New York State’s Town and Village Courts, also known as Justice Courts. The Task Force was formed after a series of articles in The New York Times substantiated serious and systemic problems within many of the 1,277 town and village courts throughout New York State. Led by former Judge Phylis Skloot Bamberger, the Task Force conducted extensive research, interviews and analysis and has issued its final report. It contains twenty-five recommendations that will hopefully serve to rid the system of the infirmities that have plagued the justice court system for years.

The importance of justice courts cannot be overstated. Throughout the State there are 1,277 town and village courts and each of the 57 counties outside New York City utilize a number of them. There are over 2,000 town and village judges throughout the state, of whom 68% are non-lawyers. Of the 27 other states in this country that utilize non-lawyer judges, New York has the largest number of non-lawyer judges in courts of original jurisdiction. Each year, over two million cases come before these courts and the revenue of justice courts last year exceeded two hundred million dollars. To be qualified for the position of town and village justice, one need only be a United States citizen and a resident of New York. There is no mandatory retirement age for this position.

The Task Force was comprised of representatives throughout the state who are knowledgeable in the town and village justice system, including a public defender from Wyoming County, a judge of the Buffalo City Court and the District Attorney of Erie County. In addition, the group had several advisors.

PRIVATE SECTOR LAWYERS ENLIST WITH THE PUBLIC SERVICE NETWORK

The City Bar Justice Center runs a matching program that links lawyers with pro bono activities around the world. This program is the Public Service Network, and it has been creating volunteer opportunities for the past 10 years. Three attorneys shared with Forty-Fourth Street Notes their rewarding service experiences.

Emma Nakakuki has had a long-time fascination with the cross-cultural exchange of ideas. Her father is a bicultural psychologist, and such discussions permeated her upbringing. When the chance to volunteer with an arts and cultural organization arose through the Public Service Network, Nakakuki was very interested. "I met with the Director of the Public Service Network to learn about the range of public service entities she collaborates with," said Nakakuki, who was impressed by the number of outstanding partner organizations. "She was very thoughtful in matching my general interests within the parameters of her categories, for a natural fit.”

The pro bono opportunities offered through the Public Service Network are divided into more than 35 categories. These categories vary in scope from constitutional law to taxation to real estate work. The Public Service Network Director connected Nakakuki with the Friendship Ambassador Foundation, an organization that facilitates international travel and exchange programs. Having studied abroad as a teenager through a similar exchange program, Nakakuki understood what the Foundation aimed to accomplish—to smooth out cultural misunderstandings and promote peace.

Nakakuki’s first pro bono experience was such a success that she ultimately volunteered with the Foundation for an entire year. In late 2004, as a legal advisor, Nakakuki reviewed the Foundation’s website for potential litigation issues. She then served on the organization’s advisory board, raising capital to implement a youth symphony for the United Nations. She continued her volunteer work through...
To be qualified for the position of town and village justice, one need only be a United States citizen and a resident of New York. The position of town and village justice includes the President of the State Magistrates’ Association and the Supervising Counsel of the town and village justice system. In preparing the report, members of the Task Force interviewed statewide participants in the justice court system including prosecutors, defense counsel, civil litigators, OCA staff, town and village justices, and non-judicial Justice Court personnel. The members also examined responses to questionnaires the Task Force sent to prosecutors, defense counsel, justices and court clerks.

The Task Force divided its report into four segments: structure and organization, technology, training and legal and administrative assistance. Significantly, members of the group came to the conclusion that all town and village justices should be lawyers. This conclusion was based upon numerous factors including significant concerns of due process, the increasing complexity of the law, the ability to resolve legal issues, and past violations of the rules governing judicial conduct. While the legislature could amend the law to require all justices to be lawyers, the Task Force also concluded that even if that sea change were to occur, it would not take place in the foreseeable future. Accordingly, the group proposed twenty-five recommendations designed to improve the courts in the absence of a requirement that all justices be lawyers. The recommendations include transfer of some cases to lawyer justices, consolidation of courts, training and assistance for justices and non-judicial personnel, state of the art equipment and training to use them, and a requirement that a record be made of each court proceeding.

With regard to technology, the Task Force noted the importance of having a verbatim record of court proceedings. Thus, it is recommended that proceedings in every case be recorded by a court reporter or by a digital recording device in lieu of a court reporter. Computer access, video conferencing and the expanded use of E-mail is also recommended.

With regard to training, members of the group urged the City Bar as well as other groups to identify volunteer attorneys to work with the Judicial Institute to prepare and present courses of study for the justices. It is imperative that the justices be given appropriate training in the various areas of law within their jurisdiction: misdemeanor trials, suppression hearings, preliminary hearings, sex offender registration hearings, summary proceedings under the Real Property Actions and Proceeding Law, and temporary orders of protection in Family Court cases.

Finally, the Task Force proposed six recommendations to assist town and village justices in the performance of their duties. These proposals address the current Resource Center, which, since 1990, has assisted the justices with legal issues that arise on a daily basis. At present, only five attorneys at the Center respond to requests for information made by town and village justices, city court judges and their law clerks. The Task Force recommends that the Office of Court Administration fully fund a sufficiently large staff of lawyers to provide assistance. One proposal suggests the establishment of regional offices especially in areas where the justices are not lawyers.

We hope that these recommendations can serve to improve a justice system that has continued, largely unchanged, since colonial times. Working with the State Bar and Chief Judge Kaye, we also hope that these recommendations will enhance conditions under which the justices do their work while increasing the likelihood that lawyers will become justices. Throughout its work, the Task Force has tried to respect the professed desire of communities to have local courts that remain close to the citizens they serve so that they may understand their expectations. Through our collaboration, it is hoped that the quality of justice will be improved throughout the State. New York citizens deserve nothing less.
Gender-based violence is one of the most widespread human rights abuses and public health problems in the world today. It encompasses acts of violence in the form of physical, psychological, and sexual violence against a person specifically because of his or her gender.

The African Affairs Committee undertook to survey and analyze these laws in a number of sub-Saharan nations. The report, prepared with the involvement of Cleary, Gottlieb Steen & Hamilton LLP, documents examples of legislation in sub-Saharan Africa designed to combat gender-based violence and evaluates how law can effectively address the challenges associated with violence against women in this region. The report surveys specific gender-based violence legislation with regard to rape, sexual assault, and domestic violence and the existing widespread prohibitions on gender-based violence in international and regional instruments, as well as of the recognition and application of these prohibitions by international tribunals.

Based on its findings, the report recommends general considerations to be taken into account in drafting and implementing such legislation and notes particular good and best practices embraced by States. Though the continent has made significant progress in recent years to put combating gender-based violence on the political and social agenda, States must mobilize to improve the institutional response to gender-based violence by developing training programs, implementing sexual harassment policies, sponsoring antiviolence awareness campaigns, and fostering cooperation among government agencies, private parties, and NGOs to end violence against women.

Lawmakers must employ culturally sensitive education campaigns to change the attitudes of both citizens and enforcement agencies about what is acceptable behavior. Only with a clear commitment on the part of the State can any new legislation or other measure addressing gender-based violence be effective. If a State lacks the political will to protect women from violence or to provide institutional support for such protection, the report cautions, all measures, no matter how good they look on paper, are likely to fail.

Civil Rights
Letter to Congress discussing the Foreign Intelligence Surveillance Modernization Act of 2007 (H.R. 3782) and the RESTORE Act (H.R. 3773), both of which are intended to replace the Protect America Act and provide protections against warrantless electronic surveillance of Americans. While the RESTORE Act is an acceptable improvement in restoring rights and protections eliminated by the Protect America Act, the Modernization Act would be the better alternative since it offers more complete protection of Americans’ constitutional rights.

Corrections
Letter to the New York City Council urging the Council to oppose the Board of Correction’s proposed changes to the Department of Correction’s existing minimum standards for New York City Correctional Facilities. The majority of the proposed changes were drafted without input from workers, advocates, families or inmates and will not improve the conditions of confinement or public safety.

Estate and Gift Taxation
Report proposing the reinstatement of the federal credit for state death taxes. Although federal legislation eliminated the federal credit for state death taxes for decedents dying after 2004, New York State continues to impose the amount of tax that would have been allowed as a federal credit for state death taxes as it previously existed. This practice, the letter argues, has led to New Yorkers leaving the state in search of a more favorable tax jurisdiction which poses a serious threat to New York’s revenues.

Letter to the IRS commenting on the Gift Tax Consequences of Trust Employing Distribution Committee. The letter argues that where a grantor’s gift to a trust is incomplete, no member of the distribution committee can possess a general power of appointment over the trust property.

Financial Reporting

Health Law
State Affairs
Amicus Brief: McKinney v. The Commissioner of the New York State Department of Health, filed in the New York State Court of Appeals, October 2007. The brief urges the court to hear an appeal as to the constitutionality of the legislation that created the unelected Commission on Health Care Facilities in the 21st Century which developed a plan for closing and consolidating hospitals that has the force of law. The brief argues that the Legislature unconstitutionally delegated its exclusive lawmaking authority to an unelected commission, which in turn created significant health care policy changes. The brief argues that the legislation is unconstitutional on two grounds: first, it fails to meet the constitutional standard that legislative delegations be accompanied by clear policies and standards; and second, it does not meet the requirement that the Legislature actually enact a law rather than allow it to take effect by inaction.

Litigation
Letter to the New York State Legislature urging that it pass legislation providing for judicial raises during the present legislative session. Fair compensation increases are long overdue for New York State judges and the letter argues the failure to provide salary increases depletes the morale of the judiciary, devalues its role and creates a serious threat to the quality of the bench.

Non-Profit Organizations
Letter to the National Conference of Commissioners on Uniform State Laws expressing limited endorsement of the Uniform Prudent Management of Institutional Funds Act. The letter identifies a number of provisions which require revisions before the proposed Act should be adopted.

Professional Discipline
Professional and Judicial Ethics
Professional Responsibility
Comments on the Proposed Ethical Considerations for Lawyer Advertising. In the first instance the report recommends postponing the adoption of any Ethical Considerations until after litigation concerning the rules is concluded. However, in the event that the proposed Ethical Considerations are adopted now the report offers a number of comments including: the definition of lawyer advertising should be clarified to include websites or blogs; subjective comparisons should not all be precluded; it should be made clear that materials whose primary purpose is to educate are not considered solicitation unless they affirmative-ly suggest to the recipient to hire the lawyer; the extraterritorial reach of the rules should be limited; and an Ethical Consideration should be added which clarifies that if a law firm has no principal office it need not declare one.

www.nycbar.org
NEW EXECUTIVE DIRECTOR OF THE CITY BAR JUSTICE CENTER LYNN M. KELLY:
HER PLANS, PRIORITIES, AND PASSION FOR EQUALITY AND JUSTICE

Her interest in social justice followed Kelly to New York University School of Law. After her first year in law school, she worked for the summer in Yuma, Arizona with Community Legal Services on a number of cases Kelly says had "civil rights overtones." In Yuma, where the average summer heat is over 100 degrees, Kelly aided in the campaign to shut down the local jail which had no air conditioning and instead relied on the use of swamp coolers, cultivating the spread of disease and illness among the incarcerated. She also participated in mediation with local Native American tribes and worked alongside the Mexican American Legal Defense and Education Fund on farm worker issues.

During law school, Kelly says she was inspired, "by the potential for young lawyers to make a difference." In fact, Kelly is no less motivated now about issues of social justice than she was as a law student. "One of my earliest clients," Kelly says, "was facing eviction. She had a young daughter and was also most likely suffering from mental illness. Her young child went with her everywhere, and her isolation and lack of a support network were apparent. The gap in what the apartment actually cost and what she could afford seemed relatively small, but to the client, it was an additional burden to bear." Although this case represents a classic homeless prevention case, which Kelly has seen innumerable times, she says, "the case early on indicated to me the importance of the work that was being done."

"The lack of affordable housing and a safe place to live," says Kelly, is one of the city’s largest problems. Kelly explains how the problem of housing is inherent in many clients’ cases. At MFY, she worked with those suffering from mental illness who often face eviction when they decompensate and are hospitalized. She foresees that the City Bar Justice Center Cancer Advocacy Project may deal with eviction issues as well. "For low income clients, they are just one paycheck away from disaster," Kelly says.

"At one point I was representing a young man who was in Goldwater Hospital on Roosevelt Island. I had to go see him, and as I got off the elevator my client was there in a wheelchair. He was the victim of a gunshot wound and had been paralyzed." Kelly adds, "But he was only one of about ten young men getting services for rehabilitation because of gunshot wounds all lined up in wheelchairs to watch the elevator open." Kelly approaches her work with an acute sense of the conditions and extent of the disparities that face the low-income population. "The personal circumstances of my clients have been quite desperate," Kelly explains.

One of the early cases Kelly worked on was a class action suit to obtain Medicaid coverage for undocumented immigrant women seeking prenatal health care. The case not only helped in getting necessary care to women in need, but also to improve prenatal health care throughout New York State. Kelly stresses, "The case had a profound impact in helping to lower infant mortality in the city." Throughout her career Kelly has worked to expand and improve the allocation of scarce resources to an ever-growing low-income population.

Kelly doesn’t just bring her "academic" experience, but also an acute sense of the real people behind the problems facing the city’s poor. "I have seen clients line up around the corner for services. The need is even greater today although most programs now use telephone intake." Kelly’s clients have included a woman from the barrier islands off of the Carolinas whose Gullah dialect and low income led to her being taken advantage of while trying to bury her son. The cemetery had used a common grave instead of the individual plot the woman had paid for. Kelly’s suit was successful and the son was moved to an individual plot. Kelly states, "In the moment of burying her son, she was being scammed. It is unfortunate how poor people are preyed upon by dishonest vendors."
Towards the Future

"Understanding the resources of the City Bar and identifying areas of unmet need where the City Bar Justice Center can make a difference are priorities for me," says Kelly. Since coming to the City Bar, Kelly has been particularly interested in the Legal Hotline operated by the Center. The scale on which it operates and the large number of clients it is able to serve on a daily basis both impresses and intrigues her.

Alice Morey, Managing Attorney for the Center, says, "I've known Lynn Kelly since the mid-80s through her professional legal work. She's an amazing lawyer, a very serious professional, and she comes with a strong legal services background." Morey emphasizes, "Kelly will bring insight into how we can improve and develop the Center."

In terms of plans for the future of the Center, Kelly says, "I will look for areas of synergy between the City Bar Justice Center, the committees, corporate law departments and the law firms that are part of the City Bar."

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Sheila S. Boston, immediate past chair of the New York City Bar's Committee on Recruitment and Retention of Lawyers (CRRL), accepts the Outstanding Advocate Award from the Minority Law Student Leadership Summit on behalf of the Committee. The award was presented to the CRRL for its commitment to diversity and administration of the New York City Bar Fellowship Program, which places first year law students from disadvantaged backgrounds in summer associate positions with law firms and corporate law departments.

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Lawyers at the Cyrus Vance Center’s Latin American Foreign Associate Reception held on October 30 at the House of the Association. The event provided a networking opportunity for Latin American lawyers practicing at New York law firms and a chance for them to learn about undertaking pro bono work.

One Hundred Years Ago . . . .

In December 1907, a scandal relating to the sale of the Wall & Cortlandt Street Ferries Railway Company to Metropolitan Securities was in full swing. The purchase price of the deal allegedly had been inflated as part of a kickback scheme to reward wealthy donors, including Thomas F. Ryan, for contributions made to Republican political campaigns. On December 11, 1907, District Attorney William T. Jerome called Ryan’s attorney, Paul D. Cravath, to testify before the grand jury as to conversations between Cravath and Ryan--despite Ryan's explicit refusal to waive the attorney-client privilege. When Cravath invoked the privilege and declined to testify, Jerome cited him for contempt. City Bar Association President John L. Cadwalader, appearing “in the interests of the bar as well as in Mr. Cravath's behalf”, represented Cravath at the contempt hearing. The defense team strenuously contested Jerome’s conduct, arguing that the “privilege that he seeks to override has long been deemed one of the most important instrumentalities in the administration of justice, and the greatest jurists and the highest legal tribunals are ranged in earnest insistence upon its inviolability”. Judge Otto A. Rosalsky agreed—and excoriated Jerome for his attempt to pierce the privilege.

2008 Professional Development Workshop Series: Advocate For Your Success

This 3rd annual career development series kicks off on January 23rd, with Getting to Know Your Client’s Business. Join us each month to learn valuable skills and enhance your career. Other programs in this series include:

- Maximize Mentoring Relationships: Enhance Your Practice and Professional Reputation
- Prioritizing Skills for Your Legal Practice
- New Ethical Challenges for Rising Attorneys
- In the Conference Room and the Courtroom: Communication Skills in Legal Practice
- Legal Team Leadership

Most programs provide transitional/non-transitional CLE credit, and are free to members and attorneys from sponsoring firms. Breakfast and Registration begin at 8:00 am, Workshops run 8:30-10:00 am. For more details, visit www.nycbar.org and click on Career Development.
PRIVATE SECTOR LAWYERS ENLIST WITH THE PUBLIC SERVICE NETWORK... CONTINUED FROM PAGE 1

the summer of 2005, organizing a benefit gala and serving as the event chairperson.

The time commitment for volunteering with the Foundation is flexible. Nakakuki, Vice President of Bank of America’s Global Markets Risk Management Group, said that 10 hours per quarter would be appreciated.

Cari Sommer also tries to complement her career with public service. In addition to serving as the Director of Business Development at Lexolution LLC, which she describes as a leading provider of contract legal staffing services, Sommer is Chair of the New York Board of Directors for Step Up Women’s Network, a national non-profit organization dedicated to empowering women and training the next generation of female philanthropists.

Sommer looks for opportunities in her professional life where she can leverage her skills and background and play a meaningful role in the overall success of an entrepreneurial organization. This is also true with respect to her pro bono legal work, which Sommer began as an associate before joining Lexolution.

The particular program in the Public Service Network that caught Sommer’s eye was our own City Bar Justice Center’s Neighborhood Entrepreneur Law Project (NELP), which provides free legal assistance to low-income micro-entrepreneurs within the city. Sommer chose to work with a young woman who was opening a clothing business. “This case really grabbed my attention because the idea behind the clothing line was incredibly innovative,” Sommer said. “Plus, when I met with my client for the first time, I saw that she had such passion for her idea and I wanted to help her make her business a success.”

Sommer’s time with her client ranged from five to 10 hours a month. “I helped her with intellectual property issues and with evaluating licensing agreements,” she said. What struck Sommer most was her client’s perseverance; Sommer continues to follow the business’ progress. “It was an incredible experience to work with someone who was so dedicated to see her project through.” Sommer said. “NELP is a really great program because it gives enthusiastic and smart entrepreneurs access to legal resources that they could not otherwise afford.”

For the past year, Sommer has been a member of the Public Service Network Committee. In January 2007, criminal attorney Anne Rudman made an appointment with the Public Service Network Director to discuss pro bono opportunities. The director introduced Rudman to Lawyers Without Borders (LWOB), an international network of volunteer lawyers who provide legal support to Rule of Law initiatives, human rights work, and non-governmental organizations. Under the auspices of LWOB, Rudman spent three weeks this spring in Liberia, a West African nation emerging from 14 years of debilitating civil war.

Rudman’s work in Liberia with LWOB served two purposes: 1) to set up a four-day trial advocacy skills program in July 2007 for Liberian public defenders, prosecutors and magistrates; and 2) to convince the private legal sector to participate for the first time in the World Bank’s “Doing Business” publication, an annual report that analyzes business regulations in 175 countries.

According to Rudman, the prolonged civil war had shattered Liberia’s economy and infrastructure, left Monrovia, its capital, largely without electricity and running water, and resulted in a literacy rate of 20%. The legal system faced a paucity of funds for salaries or training, looted and burnt out physical facilities, and few law books. Additionally, despite the presence of highly trained judges, lawyers and law professors, there was a critical shortage of lawyers in the public sector to support a viable criminal justice system.

When Rudman arrived in Monrovia, she sought the consent and cooperation of the Chief Justice of the Liberian Supreme Court, Johnnie N. Lewis, for LWOB to conduct an intensive legal advocacy training program that focused on litigation skills, legal research, evidentiary rulings and ethics. Although Liberia’s Constitution provides for an Anglo-American legal system, the Chief Justice was understandably reluctant for outsiders to come in and train Liberian lawyers about Liberian law and practice. Rudman explained to him that the training program was based on a mock criminal case developed by the National Institute for Trial Advocacy (NITA) that is used both in the United States and internationally and was modified to replicate the themes and issues raised in criminal trials conducted in Liberia. Additionally, two of the trainers were U.S. federal judges who had done similar trainings in other African countries.

The Chief Justice granted permission for the four-day advocacy program and encouraged the country’s magistrates to participate. Rudman then worked on the logistics. Simultaneously, she conducted numerous meetings with prominent members of the Liberian private bar urging their participation in the World Bank project and assisting them in completing the extensive surveys on business rules, regulations and practices.

In July 2007, Rudman returned to Liberia as one of several trainers, including a group of lawyers from Shearman & Sterling and White & Case, who had provided LWOB with critical assistance in setting up the training session. A NITA professor led the four-day training session, which included forty Liberian prosecutors, public defenders, and magistrates. LWOB’s success on both fronts led to the commitment by Chief Justice Lewis for LWOB to conduct a follow-up training program for Liberian circuit court judges in May 2008 and Liberia’s inclusion in the World Bank’s “Doing Business” survey for the first time.

If you are an attorney seeking volunteer opportunities or a non-profit organization that could use volunteer assistance, please email cpsn@nychar.org.
The City Bar Justice Center, through its Pro Bono Consumer Bankruptcy Project, along with the City Bar’s Bankruptcy and Corporate Reorganization and Consumer Affairs Committees, has issued a new pamphlet entitled “Personal Bankruptcy: Is It Right For You?” This publication provides a road map of information about the bankruptcy process to consumers who are overwhelmed with debt.

The need for this publication became apparent after the passage of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). There was a great deal of misinformation surrounding the implementation of this Act. Many attorneys and consumers believed that the new law would prevent most debtors from filing for Chapter 7 bankruptcy relief. That has not proved to be the case. Filing for personal bankruptcy remains a viable option, although the process is more complex and expensive. The purpose of this publication is to educate the public about how the law has changed, inform debtors of their options so they can make informed decisions about bankruptcy relief, and let them know where to seek help.

The pamphlet is not a "how-to" book but a guidebook on the general aspects of the new law. The pamphlet highly recommends that debtors consult a lawyer if they intend to file for bankruptcy. "The consequences of not using a lawyer can be serious," says John McManus, Director of the Pro Bono Consumer Bankruptcy Project. "It's important for people to know the ramifications and requirements of filing for bankruptcy. Otherwise a bad situation might be made worse."

This pamphlet is available in English and Spanish, and is posted on the City Bar’s web site at: http://www.nycbar.org/Publications/pdf/Individual_BankruptcyPamphlet.pdf.

In addition, the pamphlet will be available through various outlets, including the Clerk’s Office of the United States Bankruptcy Court for the Southern and Eastern Districts of New York.

Publication of the pamphlet was made possible through grants made by the American College of Bankruptcy Foundation and the Eastern District Civil Litigation Fund. The Spanish translation was made possible through the pro bono efforts of Geotext Translations and a generous contribution from Ian Gazes.

This pamphlet is available in English and Spanish, and is posted on the City Bar’s web site at: http://www.nycbar.org/Publications/pdf/Individual_BankruptcyPamphlet.pdf.
DECEMBER 2007 CALENDAR

Unless otherwise noted, programs are free of charge; open to all members, their guests and the general public; and held at the House of the Association. Program information subject to change. Please check our website at www.nycbar.org for the latest program information.

4 Tuesday, 6-8 pm

CHALLENGES FACING TODAY’S LAW FIRM

Dr. Nersessian will speak on Challenges Facing Today’s Law Firm, ranging from mergers and non-traditional competition to training and mentoring new lawyers. The event is brought to you by Inspired Professionals LLC, a member benefit of the NYC Bar Association.

Keynote Speaker: DAVID NERSESSIAN, JD/PhD
Executive Director of Harvard Law School’s Program on the
Law School’s Program on the
Policy Group

The event is free to members and includes refreshments. The fee for nonmembers is $35 and will be collected at the door. To RSVP, please email nycbar@InspiredProfessionals.com

5 Wednesday, 6-8 pm

A WORLD OF OPPORTUNITY: INTERNATIONAL PRO BONO AND PUBLIC SERVICE

This program will cover international pro bono and public service work that can be done here and abroad, the variety of organizations sponsoring such opportunities, and firsthand accounts by attorney volunteers. The panel will be followed by a reception, giving attendees a chance to chat with panelists and volunteers. This program is open to attorneys who are interested in exploring pro bono and public service opportunities with an international focus.

Moderator: MADELEINE SCHACHTER
Vice President & Deputy Counsel, Hachette Book Group USA, Inc.
Chair, City Bar Pro Bono and Legal Services Committee
Chair, Corporate Counsel Pro Bono Coordinators

Speakers:
SCOTT RECHLER
Change Manager, Law for All

JOAN VERMEULEN
Executive Director, Cyrus R. Vance Center for International Justice

JEAN BERMAN
Executive Director, International Senior Lawyers Project

CHRISTINA STORM
Founder and President, Lawyers Without Borders

EDWIN REKOSH
Executive Director, Public Interest Law Institute

PAUL WILLIAMS
Executive Director, Public International Law & Policy Group

Co-sponsored by:
City Bar Public Service Network; Corporate Counsel Pro Bono Coordinators; Cyrus R. Vance Center for International Justice

Registration is necessary. Please respond to rsvp@nycbar.org

6 Thursday, 9-10:30 am

JOB SEARCH NETWORKING AND INTERVIEWING

This is an interactive workshop that will provide guidance on how to network and interview, and discuss ways to take the fear out of job search processes.

Speakers: CAROL KANAREK, J.D. C.S.W.; Career Management for Lawyers
LINDA E. LAUFFER, J.D.
Director of Career Development, Morgan, Lewis & Bockius LLP

Space is limited to 25 people. Registration is necessary. The fee is $10. Please register online at www.nycbar.org

6 Thursday, 6:30-8 pm

CONGRATULATIONS! YOU’VE PASSED THE BAR!

Join us in toasting your achievement at a cocktail reception co-hosted by the New York City Bar Association and the New York Law Journal.

Please register online at www.nycbar.org.

7 Friday, 6 pm

FRIDAY EVENING CHAMBER MUSIC AT THE ASSOCIATION

Akiko Chiba, pianist, will perform Chopin’s “Variations Brillantes” and Fantasy, Op. 49; Liszt’s Song Transcriptions and “Les jeux d’eaux a la Villa d’este”; and Beethoven’s Piano Sonata in A Major, Op. 101

Admission is $13 at the door. For more information, please call (212) 788-1093.

11 Tuesday, Noon – 2 pm

PUBLIC AFFAIRS LUNCHEON

The Public Affairs Luncheon Series features speakers who address matters of public interest. The Luncheons provide a forum to enable members of the Bar Association to network, socialize and discuss matters of interest. The Luncheons are open to the public.

Speaker: FREDERICK A.O. (“FRITZ”) SCHWARZ, JR.
• Senior Counsel, The Brennan Center for Justice, N.Y.U. School of Law
• Former Corporation Counsel of the City of New York
• Co-Author, Unchecked and Unbalanced: Presidential Power in a Time of Terror

TOPIC: EXECUTIVE POWER, SECRECY & THE WAR ON TERRORISM

Luncheon Chair: JEROME R. ROSENBERG
Luncheon Vice-Chair: EMILY CAMPBELL

Co-sponsored by:
Committee on National Security & Counter-Terrorism, Federal Bar Association, Southern District Of New York Chapter

Registration by December 7 is required to guarantee admission. Registrations received after December 7 are subject to availability. The fee, which includes lunch, is $30. Please register below or online at www.nycbar.org.

13 Thursday, Noon-1:30 pm
WHAT TO DO WHEN 'MOM' (OR 'DAD') IS ON YOUR RESUME

This program will address what challenges "comeback moms" and "comeback dads" may face as they re-enter the profession, and strategies to overcome them. Re-entry moms and dads will also learn how to market themselves by understanding employer challenges to hiring re-entry talent and other tips about re-integrating work into life.

Speaker: DEBORAH EPSTEIN HENRY
Founder/President, Flex-Time Lawyers LLC

Co-sponsored by:
National Association of Women Lawyers

Registration is necessary. Please register online at www.nycbar.org. The fee, which includes lunch, is $25.

15 Saturday, 8:00pm
LAWYERS’ ORCHESTRA’S ALL-BEETHOVEN WINTER CONCERT

The Lawyers’ Orchestra will perform Beethoven’s First and Eighth Symphonies, and his “Triple” Concerto (David Sheng, violin; Irene ten Cate, Esq., cello; and Terry Eder, Esq., piano).

Please note this program will take place at Pope Auditorium, Columbus Avenue @ 60th Street, Manhattan.

Admission is $20 and $10 (seniors/students) and may be purchased online, www.lawyersorchestra.org. For more information, please call (212) 788-1093.

SAVE THE DATE

January 11, 2008, 7pm – cocktails;
8pm – performance

THE 47TH TWELFTH NIGHT PARTY

The Association’s upcoming biennial 12th Night musical extravaganza spotlights Jonathan Lippman, Presiding Justice of the Appellate Division of the Supreme Court, First Department.

Presented by talented members of the Bench and Bar, and the Entertainment Committee, Peter Dizozza, Chair.

December 2007 Registration Form

☐ Public Affairs Luncheon— 11 Tuesday
The fee, which includes lunch, is $30.

☐ Small Law Firm Luncheon: Growing Your Practice — 13 Thursday
The fee, which includes lunch, is $25 for members and $35 for non-members.

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Signature

Please return this form to: Meeting Services, New York City Bar, 42 West 44th Street, New York, NY 10036-6689.

Please make checks payable to the Association of the Bar.

If registering for additional persons, duplicate this form.
## CITY BAR CENTER FOR CLE
### DECEMBER 2007 CLE COURSE CALENDAR

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
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<td><strong>4</strong></td>
<td><strong>9-5 p.m.</strong></td>
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<tr>
<td><strong>6-9 p.m.</strong></td>
<td><strong>16 HOUR BRIDGE-THE-GAP</strong></td>
<td><strong>IMMIGRATION LAW - IT ISN'T JUST FOR IMMIGRATION LAWYERS ANYMORE! WHAT YOU NEED TO KNOW</strong></td>
<td><strong>SEcurities litigation: current developments &amp; strategies</strong></td>
<td><strong>COMMANDING PRESENCE™: communication &amp; presentation skills for lawyers</strong></td>
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<td><strong>9-12 p.m.</strong></td>
<td><strong>THE MODERN FAMILY . . . EMERGING LAW AFFECTING MARRIED COUPLES, DOMESTIC PARTNERS, SINGLES, SENIORS &amp; ANIMAL COMPANIONS</strong></td>
<td><strong>LEGAL ETHICS: WHAT YOU DON'T KNOW CAN HURT YOU</strong></td>
<td><strong>WHAT DO THE ATTORNEY ADVERTISING RULES MEAN NOW?</strong></td>
<td><strong>MR. SMITH GOES TO WASHINGTON, ALBANY &amp; CITY HALL: HOW TO LOBBY LIKE A PRO</strong></td>
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<td><strong>10</strong></td>
<td><strong>9-12:45 p.m.</strong></td>
<td><strong>6-8 p.m.</strong></td>
<td><strong>9-12:00 p.m.</strong></td>
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<td><strong>6-9 p.m.</strong></td>
<td><strong>WEALTH OPTIMIZED: TIPS &amp; STRATEGIES FOR EVALUATING, PARTNERING WITH &amp; RECOMMENDING FINANCIAL ADVISORS</strong></td>
<td><strong>LEGAL MALPRACTICE LITIGATION &amp; RISK MANAGEMENT: WHAT EVERY ATTORNEY MUST KNOW TO MANAGE &amp; REDUCE THESE CLAIMS</strong></td>
<td><strong>FRANCHISE, DISTRIBUTION &amp; LICENSING LAW FROM A TO Z (AAMCO TO ZAXSBY’S)</strong></td>
<td><strong>IMMIGRATION LAW - IT ISN'T JUST FOR IMMIGRATION LAWYERS ANYMORE! WHAT YOU NEED TO KNOW</strong></td>
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<td><strong>9-12 p.m.</strong></td>
<td><strong>VIDEO REPLAY: CONSTRUCTION LAW FOR LEASING LAWYERS: THE NUTS &amp; BOLTS!</strong></td>
<td><strong>CROSSING STATE BORDERS IN TRUST &amp; ESTATE LAW: WHAT THE NEW YORK PRACTITIONER NEEDS TO KNOW ABOUT FLORIDA, NEW JERSEY, DELAWARE &amp; CONNECTICUT</strong></td>
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<td><strong>VIDEO REPLAY: SECURITIES ARBITRATION &amp; MEDIATION HOT TOPICS 2007: &quot;THE&quot; PROGRAM FOR ATTORNEYS, IN-HOUSE COUNSEL, EXPERTS, ARBITRATORS &amp; MEDIATORS</strong></td>
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<td><strong>9-12 pm</strong></td>
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*This program provides transitional credit for newly admitted attorneys.*
# DECEMBER 2007 CLE CALENDAR

**ADR/ARBITRATION/MEDIATION/NEGOTIATION**

**VIDEO REPLAY: SECURITIES ARBITRATION & MEDIATION HOT TOPICS 2007: "THE" PROGRAM FOR ATTORNEYS, IN-HOUSE COUNSEL, EXPERTS, ARBITRATORS & MEDIATORS**

18 Tuesday, 9-12 p.m.

Senior officials of the NASD and the New York Stock Exchange and a panel of experienced practitioners will provide practical guidance to navigate the consolidation of the NASD and NYSE, comply with extensive revisions to the NASD Codes of Arbitration Procedure and understand significant developments in securities arbitration and mediation. This program delivers practical suggestions and effective techniques to prosecute and defend securities actions. Audience participation is a key feature of this annual event.

Program Chair:  
**ROGER M. DEITZ**  
Dispute Resolution

Faculty:  
**RICHARD BERRY**  
Vice President and Director of Case Administration  
NASD Dispute Resolution  

**BILL BRIENDEL**  
Greenberg Traurig, LLP

**STEVEN B. CARUSO**  
Maddox, Hargett & Caruso, P.C.

**ELIZABETH CLANCY**  
Vice President and Northeast Regional Director  
NASD Dispute Resolution

**ROSS B. INTELISANO**  
Rich & Intelisano, LLP

**KAREN KUPERSMITH**  
Director of Arbitration  
New York Stock Exchange

**HARRY T. WALTERS**  
Managing Director  
Citigroup Global Markets, Inc.

**ANIMAL LAW**

**THE MODERN FAMILY . . . EMERGING LAW AFFECTING MARRIED COUPLES, DOMESTIC PARTNERS, SINGLES, SENIORS & ANIMAL COMPANIONS**

3 Monday, 6-9 p.m.

This program will examine the issues confronting different generations of a modern family, specifically the issues concerning the role of animals in that family. The subject has been on the rise in law schools, bar associations, private and public practice, and the media. Individual attorneys and panelists will address the following topics:

- Divorce & Custody of Pets
- Domestic Violence & Pets
- Domestic Partners & Pets
- Panel Discussion: Breaking Barriers  
  - Long Term Care at Home  
  - Assisted Living Facilities  
  - Nursing Homes  
  - Hospitals
- Pet Trusts & Pet Protection Agreements  
- How to Tax a Pet Trust

Program Co-Chairs:  
**RACHEL HIRSCHFELD**  
Law Offices of Rachel Hirschfeld

**NATALIE I. REEVES**  
Cohen Lans LLP  
Faculty:  
**CHARLES P. BERKOWITZ**  
Executive Vice President  
Jewish Home at Rockleigh

**EMILIO DISIERVI**  
Area Outreach Spokesperson  
Sunrise Senior Living

**JO ANN DOUGLAS**  
Attorney at Law

**CLAUDIA FINE**  
Executive Vice President & Chief Professional Officer  
SeniorBridge

**KATE FISCHER**  
Program Coordinator  
St. Vincent’s Patient Pet Care  
St. Vincent’s Hospital

**KAREN GOLDBERG**  
Managing Director  
RSM McGladrey

**STEPHEN J. SILVERBERG**  
Certilman Balin Adler & Hyman LLP  
CLE credit:  
3 credits in professional practice. This program provides transitional credit to newly admitted attorneys.

**ANIMAL LAW**

**LIVE PROGRAM (INCLUDES MATERIALS):**  
Member $195  Nonmember $305

**BRIDGE THE GAP**

**16 HOUR BRIDGE-THE-GAP**

4 Tuesday, 9-5 p.m. – Day 2 (Day 1 on 11/28)

Earn all of your annual CLE credits while obtaining invaluable knowledge on a variety of areas. The Bridge-the-Gap programs fulfill a full year’s credit requirements for
those who are newly admitted, while pro-
viding essential information and credits
for more experienced attorneys. This pro-
gram is particularly distinct in that one
day will allow attendees to fulfill all
required skills credits and the other day
will allow attendees to fulfill all required
ethics credits. Attendance on both days will
provide the total professional
practice/practice management required of
all newly admitted attorneys. A skilled fac-
ulty will guide you through the day-to-day
practice of law and cover topics of interest
to all attorneys, including legal ethics.

Faculty:
CHARLES H. BLAKELEY
Supervising Attorney
The Legal Aid Society
Criminal Defense Division

LAWRENCE T. HAUSMAN
Supervising Attorney
The Legal Aid Society
Criminal Appeals Unit

SEYMOUR W. JAMES, JR.
Attorney in Charge – Criminal Practice
The Legal Aid Society

CHRISTINA KALAS
Attorney at Law

JOEL R. KULLAS
Court Attorney for Judge Joseph E.
Capella
Civil Court of the City of New York,
Housing Part

JEROME T. LEVY
Duane Morris LLP

BARBARA L. MACGRADY
Blank Rome LLP

EVE RACHEL MARKEWICH
Markewich & Rosenstock LLP

HON. ELEANORA OFSHTEIN
Bronx Housing Court Judge
Civil Court of the City of New York

LABE M. RICHMAN
Attorney at Law
Adjunct Professor
New York Law School

ROBERT J. SALTMAN
Deputy Counsel
New York State Grievance Committee
Second and Eleventh Judicial Districts

MURRAY SCHWARTZ
Schwartz & Perry, LLP

STEVEN WILAMOWSKY
Bingham McCutchen LLP

CLE Credit:
8 credits total: 5 professional practice/prac-
tice management & 3 ethics. This program
provides transitional credit for newly
admitted attorneys.

Save by registering for both days!

Live Program
(both days, Day 1- November 28):
Member $415 Non-member $665

Live program (per day):
Member $375 Non-member $515

Enjoy a bonus offer plus save up to 25%!
Travel is more rewarding with a free upgrade! As always, that’s in
addition to your member discount. Just provide coupon # UUGA181
when making your reservation.

Free Upgrade Coupon # UUGA181
To save every time you rent, always provide your
City Bar/Avis Worldwide Discount (AWD) # A522106.
For our lowest rates, visit avis.com For reservations, book
online or call 1-800-698-5685.
6 Thursday, 9-5:30 p.m.

While the stakes involved in litigating complex securities cases remain high, recent court decisions have dramatically altered the litigation landscape. In this changing environment it is critical that securities litigators stay current and develop new strategies.

At this program an expert faculty of highly experienced and well-known securities litigators will discuss important developments in securities litigation and offer strategies and tactics for prosecuting and defending these cases. The faculty will discuss securities cases brought against issuers, underwriters, audit firms, law firms and officers and directors, and provide practical experience from the trenches. The course will offer outside and in-house counsel an overview of cutting-edge issues in securities litigation, ranging from nuts and bolts principles to sophisticated strategic advice.

The course will include the following topics:

- Strategies for prosecuting and defending securities class actions and derivative lawsuits
- Recent Supreme Court cases concerning scienter and scheme liability
- Globalization of securities litigation
- Latest case law regarding class certification
- Litigation brought by opt-outs
- Best practices in corporate internal investigations
- Damages and loss causation
- Stock options backdating litigation and investigations
- Corporate governance litigation
- Defending parallel proceedings involving private litigants, the SEC, the U.S. Department of Justice and state securities regulators
- Settlement trends and tactics

Program Chair:
LAWRENCE J. ZWEIFACH
Heller Ehrman LLP

Faculty:
JON E. ABRAMCZYK
Morris, Nichols, Arsht & Tunnel LLP
Wilmington, DE

ALAN J. BRUDNER
Executive Director
UBS Investment Bank

WAYNE M. CARLIN
Wachtell, Lipton, Rosen & Katz

MICHAEL P. CARROLL
Davis Polk & Wardwell

PAMELA R. CHEPIGA
Allen & Overy LLP

KARIN A. DEMASI
Cravath, Swaine & Moore LLP

JAMES R. DOTY
Baker Botts LLP
Washington, D.C.

FREDERICK C. DUNBAR
Senior Vice President
NERA Economic Consulting

PIERRE GENTIN
Global Head, Litigation & Regulatory Matters
Credit Suisse Securities (USA) LLC

SALVATORE J. GRAZIANO
Bernstein, Litowitz, Berger & Grossman

STEVEN M. HABER
Managing Director & Head of Litigation Americas Deutsche Bank AG

ROBERT N. KAPLAN
Kaplan Fox & Kilenstein LLP

JAY B. KASNER
Skadden, Arps, Slate, Meagher & Flom LLP

ROBERT S. KHUZAMI
General Counsel
Deutsche Bank AG

DANIEL J. KRAMER
Paul, Weiss, Rifkind, Wharton & Garrison LLP

MITCHELL A. LOWENTHAL
Cleary Gottlieb Steen & Hamilton LLP

BARRY J. MANDEL
Senior Vice President & General Counsel Litigation & Employment Merrill Lynch & Co.

LORI LYNN PHILLIPS
Heller Ehrman LLP

MARK E. SEGALL
Head of Litigation & Employment Law Group J.P. Morgan Chase Bank

MARISA E. SOLINGER
Managing Director & Co-Head of Global Litigation, Insurance & Intellectual Property Lehman Brothers Inc.

ALEXANDER R. SUSSMAN
Fried, Frank, Harris, Shriver & Jacobson LLP

CLE credit:
8 credits total: 7½ professional practice and ½ ethics. This program does not provide transitional credit for newly admitted attorneys.

Live Program (includes materials):
Member $415  Nonmember $665

Estate Planning
CROSSING STATE BORDERS IN TRUST & ESTATE LAW: WHAT THE NEW YORK PRACTITIONER NEEDS TO KNOW ABOUT FLORIDA, NEW JERSEY, DELAWARE & CONNECTICUT

12 Wednesday, 6-9 p.m.

Whether you are drafting, handling administration, or litigating trusts and...
estates in New York, you are going to have to deal with assets and persons in different jurisdictions. For the uninitiated, this course will introduce you to some of the major differences between the laws of New York and those of Florida, New Jersey, Delaware and Connecticut; for the more experienced practitioner, the course will include updates on recent statutory amendments and developing case law. Among the issues addressed will be differences among the states in terms of: tax schemes; whether it might be worthwhile to advise your client to change her domicile for planning purposes; treatment of same-sex couples; who is entitled to notice of probate; what evidence is admissible to determine the intent of a testator or settlor; whether the dead man’s statute will influence your litigation; and much more. Hands-on practitioners with experience in New York and other states will guide you through the morass, and take your questions.

Program Chair:
EVE RACHEL MARKEWICH
Markewich and Rosenstock LLP

Faculty:

AMY B. BELLER
Miller & O’Neill
Boca Raton, FL

GEORGE W. KERN
Senior Trust Officer and Senior Vice President
Bessemer Trust Company of Delaware, N.A.
Wilmington, DE

JOSEPH C. MAHON
Cooper Levenson April Niedelman Wagenheim
Princeton, NJ

KAREN YATES
Withers Bergman LLP
New Haven, CT

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

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**LEGAL ETHICS: WHAT YOU DON’T KNOW CAN HURT YOU**

**19 Wednesday, 9-12 p.m.**

This legal ethics program, with an emphasis on pertinent New York rules, will select from these issues, possibly among others: The State Bar’s proposals to amend the New York Code and change its format; lessons from the Arthur Andersen, Martha Stewart, and Frank Quattrone prosecutions and the investigation of the Valerie Plame leak; in-house lawyers wearing two (or more) hats: risks to privilege; professional relationships; meta-data; the rules on paying expert and lay witnesses; introducing “the virtual client” or “client you didn’t know you had;” the New York twist on confidentiality; how to write a consent to future conflicts that will stand up if challenged; what does the "Hot Potato" rule say and not say?; understanding positional conflicts; settlements conditioned on a lawyer’s agreement not to sue the defendant again: not allowed but why not?; the hidden risks when lawyers do business with clients or have conflicting financial or other interests; informational conflicts; seven important conflict of interest rules; the no-contact rule in New York; multijurisdictional practice; the misdirected fax: what should you do with it? what if you send one?; offers from whistleblowers: trick or treat; law firm alliances with other service providers: the New York Rule; “can’t we just be nice to each other?” - the perils of incivility; two can be trouble: useful protocols when representing joint clients; “just the facts please”—a checklist for internal corporate investigations; common interest arrangements explained, their benefits, and risks; candor to the Court: what you don’t say can hurt you or “Ellipsis at Your Own Risk;” malpractice, fiduciary duty, and conflicts: a misunderstood relationship and the New York rule in civil cases against lawyers; battle of the forms: when firms and clients contend for different conflict default rules; common interest arrangements a/k/a joint defense agreements: what should they say?
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*Source: International Legal Technology Association, 2006 Technology Survey

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Legislature and Congress. Attendees will gain an overview of the processes and jurisdiction of each of the three legislative bodies. Participants will also learn how to stay informed about legislation and hearings, be introduced to campaign finance and lobbying rules, and hear how to build an effective advocacy campaign on behalf of a public interest group or a business or industry interest. The panelists will include elected officials, lobbyists, and lawyers with expertise on lobbying and campaign finance rules.

The panel will cover the nuts and bolts of how to build an effective advocacy campaign — and follow the regulatory requirement. The differences between a legislative campaign on an advocacy issue versus a business interest will be discussed. Questions such as when and how to hire a lobbyist and how to use grass roots support and the media will be answered. The speakers will cover the process from preparing to ask a member of the legislative body to introduce a bill, and drafting legislation, to becoming involved in pending legislation and securing or blocking final passage of legislation.

Program Chair:
JAYNE BIGELEN
Director of Communications and Public Affairs, New York City Bar

Faculty:
JOHN P. ALBERT
Vice President, External Relations The After School Corporation

LEITITIA JAMES
New York City Council Member

STEVEN M. POLAN
Manatt, Phelps & Phillips LLP

SCOTT M. STRINGER
Manhattan Borough President Former Assembly Member for 12 Years

MICHAEL WALDMAN
Chief White House Speechwriter, 1995-1999 Executive Director, Brennan Center for Justice

CLE credit:
2 skills credits & 1 professional practice credit. This program provides transitional credit for newly admitted attorneys.

Live Program:
Member (NYCBar & NPCC) $175
Non-member $285

IMMIGRATION
IMMIGRATION LAW – IT ISN’T JUST FOR IMMIGRATION LAWYERS ANYMORE! WHAT YOU NEED TO KNOW
4 Tuesday 6-9 p.m.

Immigration law and reform is constantly in the news, but what many attorneys don’t realize is how important immigration status and laws have become to so many different areas of the law. This program will set forth some basics about immigration law and will then explore the relationship and interconnectedness of immigration law to criminal law, family and matrimonial law, labor and employment law, housing and landlord/tenant law, and public benefits law.

Program Chair:
LINDA KENEPESKES
Law Offices of Linda Kenepaske PLLC

Faculty:
CHERYL R. DAVID
Law Offices of Cheryl R. David

ROBERT N. GOTTFRIED
Hodgson Russ LLP

LISA PEARLSTEIN
Director of Homeless Legal Clinic City Bar Justice Center

ELIZABETH T. REICHARD
Cyrus Mehta & Associates

STEPHEN J. SINGER
Sparrow, Singer & Schreiber

RICHARD B. SOLOMON
Law Office of Richard B. Solomon

LEGAL MALPRACTICE
LITIGATION & RISK MANAGEMENT: WHAT EVERY ATTORNEY MUST KNOW TO MANAGE & REDUCE THESE CLAIMS
11 Tuesday, 9-12:45 p.m.

Claims of legal malpractice against attorneys are increasingly common and can have a devastating impact, whether the target is a solo practitioner or a large law firm. This program will review recent developments in the area of legal malpractice and emerging areas of potential liability exposure, and provide insight and guidance for the management and reduction of malpractice exposures in everyday practice. This program will include a review of the relevant legal issues pertaining to the standard of care in legal malpractice actions, proximate causation and damages. The speakers will review the anatomy of a legal malpractice action from start to finish, including initial investigation, theories of liability and defense, pleadings, motion practice, discovery and trial and strategy.

This seminar will also address risk management techniques, including procedures for the identification of potential conflicts and waiver issues, the importance of defining the scope of engagement and the significance of effective management of the attorney-client relationship in preventing potential legal malpractice claims. Professional liability insurance industry leaders will also discuss the major issues that regularly give rise to legal malpractice claims and offer
insights on how to manage and reduce risk exposures. Issues concerning insurance coverage for professional liability claims will also be discussed.

Co-sponsored with: American Bar Association, Professionals’ Officers’ and Directors’ Liability Committee of the Tort Trial and Insurance Practice Section

Program Chair: A. MICHAEL FURMAN Kaufman Borgeest & Ryan LLP

Faculty: BRIAN T. BANEY Assistant Vice President & Director-Professional Program Claims Zurich North America

ANDREW L. BLUESTONE Law Office of Andrew Lavoor Bluestone

JAMES BRADLEY Vice President Aon AIS Affinity Insurance Agency

KENNETH COFFIN Vice President Liberty International Underwriters

DAVID GROSSBAUM Hinshaw & Culbertson LLP

JANE E. KELLER Chief Claims Officer Navigators

ANDREW L. MARGULIS Ropers, Majeski, Kohn & Bentley

SHAUNA J. REEDER Assistant Vice President CNA Global Specialty Lines Lawyers Professional Liability Claims

MARIAN C. RICE L’Abbate, Balkan, Colavita & Contini, L.L.P.

MATTHEW F. SCHWARTZ Law Office of Schwartz & Ponterio, PLLC

BERTRAND C. SELLIER Proskauer Rose LLP

PHILIP TOUITOU Hinshaw & Culbertson LLP

RENAUD WRIGHT Senior Vice President Professional Markets Bertholon Rowland Corporation

CLE credit: 4 credits total: 2½ practice management & 1½ professional practice. This program provides transitional credit for newly admitted attorneys.

Live Program (includes materials): NYC Bar/ABA TIPS Section Member $205 Non-member $315

**This program is exempt from the Passport Series.
PUBLIC SPEAKING

COMMANDING PRESENCE™: COMMUNICATION & PRESENTATION SKILLS FOR LAWYERS

7 Friday, 9-4:45 p.m.

For lawyers, the ability to communicate is crucial. Whether with clients, at meetings, or in hearings, you must be able to speak with clarity and conviction, while also hearing and responding to others in an engaging and positive way. This dynamic, one-day program gives you the tools you need to hone your speaking and presentation skills and develop your own natural speaking style. Learn from an expert how to prepare and deliver your message with proven techniques to inform, persuade, or inspire. You will learn to:

- Speak with more confidence and authority
- Quickly prepare memorable, persuasive arguments
- Deliver concise and compelling formal presentations
- Think on your feet and respond eloquently
- Establish rapport with different personality types
- Persuade and influence with integrity
- Develop your own natural speaking style
- Manage personal stress and communicate effectively under pressure.

Co-Sponsored with: ALI-ABA

Program Instructor:
JOHN PLANK
President
Personal Performance Group;
Creator, Commanding Presence™ Training Programs

Live Program (includes materials):
Member $375 Nonmember $475

CLE credit:
7 credits in skills. This program provides transitional credit for newly admitted attorneys. This program is approved for MCLE credit in other MCLE jurisdictions.

REAL ESTATE

VIDEO REPLAY: CONSTRUCTION LAW FOR LEASING LAWYERS: THE NUTS & BOLTS!

17 Monday, 9-12 pm

Real estate lawyers need a general review of construction law – both because they are often asked to review construction contracts and because construction issues arise in virtually all leases. The panel will discuss the basics of construction contracts, as well as the issues that arise when leasing space in a building under construction, in landlord buildouts, and in tenant buildouts.

Program Chair:
NANCY ANN CONNERY
Schoeman, Updike & Kaufman, LLP

Faculty:

JACOB BART
Stroock & Stroock & Lavan LLP

ANDREW L. HERZ
Patterson, Belknap, Webb & Tyler LLP

CAROL PATTERSON
Zetlin & De Chiara LLP

RAY QUARTARARO
Managing Director
Jones Lang LaSalle Americas Inc.

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

Live Program:
Member $215 Non-member $335

TAX & ACCOUNTING

WEALTH OPTIMIZED: TIPS & STRATEGIES FOR EVALUATING, PARTNERING WITH & RECOMMENDING FINANCIAL ADVISORS

10 Monday, 10 6-9 p.m.

Time and again, independent surveys identify lawyers as one of the most trusted sources for referrals to investment advisors. This program is a must for lawyers who are solicited for this advice. Whether you already have a list of trusted financial advisors or would like to expand
Online Mental Disability Law Program

New York Law School has created a program specifically designed to address the ongoing need for information in the area of mental disability law.

Developed by renowned Professor Michael L. Perlin, each 14-week online course includes:
- weekly lectures on video stream,
- reading assignments,
- weekly meetings in a virtual classroom via chat sessions,
- asynchronous message boards,
- and two day-long weekend seminars held live at New York Law School.

Find out more at www.nyls.edu/MDL.

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

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.
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DECEMBER 2007 CLE REGISTRATION FORM

[ ] THE MODERN FAMILY... EMERGING LAW AFFECTING MARRIED COUPLES, DOMESTIC PARTNERS, SINGLES, SENIORS & ANIMAL COMPANIONS
Monday, December 3 6-9 p.m.

Live program (includes materials):
- Member: $195
- Nonmember: $315
- CDs (includes materials):
  - Member: $335
  - Nonmember: $405
- Videotapes (includes materials):
  - Member: $405
  - Nonmember: $475
- DVDs (includes materials):
  - Member: $445
  - Nonmember: $535
- Materials (no CLE Credit):
  - Member: $105
  - Nonmember: $135

[ ] 16 HOUR BRIDGE-THE-GAP
Save by registering for both days! (Day 1 – Nov. 28)

Live Program (both days):
- Member: $665
- Nonmember: $785

CDs (includes materials):
- Member: $565
- Nonmember: $645

Videotapes (includes materials):
- Member: $595
- Nonmember: $675

DVDs (includes materials):
- Member: $645
- Nonmember: $795

Materials Only (no CLE credit):
- Member: $235
- Nonmember: $355

[ ] IMMIGRATION LAW – IT ISN’T JUST FOR IMMIGRATION LAWYERS ANYMORE! WHAT YOU NEED TO KNOW
Tuesday, December 4 6-9 p.m.

Live Program (includes materials):
- Member: $175
- Nonmember: $285
- DVDs (includes materials):
  - Member: $405
  - Nonmember: $475
- Materials Only (no CLE credit):
  - Member: $105
  - Nonmember: $135

[ ] SECURITIES LITIGATION: CURRENT DEVELOPMENTS & STRATEGIES
Thursday, December 6 9:30 p.m.

Live Program (includes materials):
- Member: $415
- Nonmember: $665

CDs (includes materials):
- Member: $485
- Nonmember: $695

Videotapes (includes materials):
- Member: $595
- Nonmember: $725

DVDs (includes materials):
- Member: $645
- Nonmember: $795

Materials only (no CLE credit):
- Member: $235
- Nonmember: $355

[ ] WHAT DO THE ATTORNEY ADVERTISING RULES MEAN NOW?
Thursday, December 6 6-8 p.m.

Live Program (includes materials):
- Member: $375
- Nonmember: $475

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] COMMANDING PRESENCE: COMMUNICATION & PRESENTATION SKILLS FOR LAWYERS
Friday, December 7 6-4:5 p.m.

Live Program (includes materials):
- Member: $375
- Nonmember: $475

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] WEALTH OPTIMIZED: TIPS & STRATEGIES FOR EVALUATING, PARTNERING WITH & RECOMMENDING FINANCIAL ADVISORS
Monday, December 10 6-9 p.m.

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

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] LEGAL MALPRACTICE LITIGATION & RISK MANAGEMENT: WHAT EVERY ATTORNEY MUST KNOW TO MANAGE & REDUCE THESE CLAIMS
Tuesday, December 11 9-12:45 p.m.

Live Program (includes materials):
- Member: $475
- Nonmember: $695

CDs (includes materials):
- Member: $475
- Nonmember: $695

Videotapes (includes materials):
- Member: $475
- Nonmember: $695

DVDs (includes materials):
- Member: $475
- Nonmember: $695

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] CROSSING STATE BORDERS IN TRUST & ESTATE LAW: WHAT THE NEW YORK PRACTITIONER NEEDS TO KNOW ABOUT FLORIDA, NEW JERSEY, DELAWARE & CONNECTICUT
Wednesday, December 12 6-9 p.m.

Live Program (includes materials):
- Member: $250
- Nonmember: $315

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] VIDEO REPLAY: CONSTRUCTION LAW FOR LEASING LAWYERS: THE NUTS AND BOLTS!
Monday, December 17 9-12 p.m.

Live Program (includes materials):
- Member: $215
- Nonmember: $335

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] VIDEO REPLAY: SECURITIES ARBITRATION & MEDIATION HOT TOPICS 2007: "THE" PROGRAM FOR ATTORNEYS, IN-HOUSE COUNSEL, EXPERTS, ARBITRATORS & MEDIATORS
Tuesday, December 18, 9-12 p.m.

Live Program (includes materials):
- Member: $175
- Nonmember: $325

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Material only (no CLE credit):
- Member: $105
- Nonmember: $135

[ ] LEGAL ETHICS: WHAT YOU DON’T KNOW CAN HURT YOU
Wednesday, December 19 9-12 p.m.

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

CDs (includes materials):
- Member: $335
- Nonmember: $405

Videotapes (includes materials):
- Member: $405
- Nonmember: $475

DVDs (includes materials):
- Member: $445
- Nonmember: $535

Materials Only (no CLE credit):
- Member: $105
- Nonmember: $135

ALL REGISTRATIONS MUST BE PREPAID BY EITHER CREDIT CARD OR A CHECK MADE PAYABLE TO: CITY BAR CENTER FOR CLE OR NEW YORK CITY BAR

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Everyone who has been to law school has heard the line, “You can do anything with a law degree.” Today that seems more true than ever. More and more lawyers are discovering career transitions to areas outside the law but where their legal background is advantageous. At a program entitled, “Careers in Journalism,” cosponsored with the Harvard Law School Arts Initiative, four formerly practicing attorneys spoke about their transition to print and television journalism.

Why Journalism
To know if a career in journalism is right for you first take inventory of your skills and then compare them to the skills necessary to succeed in the field. You may find, as the panelists did, the skills needed for a career in print journalism or media are many of the same skills lawyers gain while practicing law.

For example, lawyers can be quick studies having to learn about a new industry or business depending on their client’s needs. This skill is transferable to the world of journalism, where you would be expected to write an article or report a story on a legal topic you may know little about. Lawyers are often called to think on their feet and to ad lib, work under pressure in an organized manner and work efficiently. Lawyers must be able to communicate a story and have exceptional writing skills. All these qualities, as one would imagine, are extremely useful in journalism. When going on interviews it is important to focus a potential new employer’s attention on these transferable skills.

Breaking In
Even with all these attributes on your side, breaking into television journalism or newspaper reporting can be difficult and the fields are competitive. But there are many things you can do to make landing that coveted journalism job easier.

Developing relationships, the panel stressed, is the most important thing you can do to help yourself break into journalism. Develop relationships wherever and whenever you can. Network aggressively. Have a coffee with people who might be able to help you; go on informational interviews. You will find that most people are more than happy to talk to you about what it is they do.

Be and be known as a specialist in a particular area of the law. Being a legal expert sets you apart from others and the media may actually reach out to you, as was the case for one of the panelists. Although you may get the job because of your particular expertise, the panel agreed that once in the job you must learn to be a generalist and be willing to report on many different areas of the law depending on the hot topic of the day.

The panel was split on the question of whether going to journalism school would be advantageous. Some felt that there is no need to pursue a degree in journalism since as a lawyer you already hold a graduate degree and that it is better to gain practical experience or to intern. Others argued that journalism school would be beneficial as it teaches the craft of journalism. With growing technology the field is always evolving and attending a graduate journalism program would allow you to be up to date with the newest forms. In addition, journalism careers can be very haphazard and journalism school is a good way to meet the people who are most able to assist you in your career. When considering journalism school it is clear you must take your own unique background and experience into account.

Life in Journalism
One of the changes described by the panel when transitioning from the practice of law to journalism is the difference in the time commitment. The panel agreed that the hours are fewer than at a large firm and you have greater flexibility in your schedule. As in law, there are extraordinarily busy times, such as when a high priority story is evolving and you are the person on call to cover it. The story then takes priority over your personal life.

Another difference is life style. At least initially most journalist’s salaries do not match those of lawyers in private practice. It may take a while to reach the same level of compensation you were at in your former career in your new career. The panel suggested that it might be wise to start writing while continuing to practice law. Author some articles or work on a book before leaving the practice so when you leave you have writing experience and a portfolio to show and can garner a more senior position.

When asked what the biggest challenges were the panel agreed that whether in print or television journalism it is the pressure to do things quickly and not feel like you have had a chance to do the most thorough job. For many lawyers that can become frustrating. In addition you see and learn about many horrific things, especially in television journalism.

In conclusion the panel urged that more lawyers are needed in journalism. Not just because they bring a strong work ethic, are good at speaking and thinking on their feet but because the public needs to be educated on how the legal system works. Newspapers and magazines, book publishers and the media all hire writers and journalists who have a passion for communicating about legal issues. The bottom line, as with any career decision, is the best reason to choose a career is because you love it.