



# WWBA news

Westchester Women's Bar Association

November 2008

www.wwbany.org

## WESTCHESTER WOMEN'S BAR FALL NETWORKING EVENT

**O**n October 2, 2008, the WWBA membership gathered for a fun networking social at Tango Grill. Thank you to Richard Gruenberger, Chair of the New Lawyers Committee, and Meredith Coleman, Chair of the Networking Committee for organizing the event. Special thanks to JoAnn Prescott of Prescott Insurance & Financial Services and Nationwide Insurance for sponsoring the entire event! ▶



Beth Willensky, Meredith Coleman, Rich Gruenberger



Sponsors: Barbara Lentini, Chris Lentini, JoAnn Prescott and John Kenney



Julie Kattan, Lina Liberatore

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### ▶ SAVE THE DATE

WWBA

# Holiday Party

**DECEMBER 10, 2008**

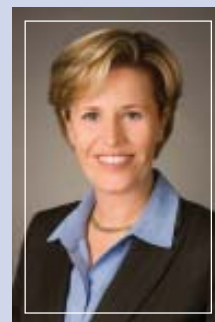
**5:30-8:00PM**

The Women's Club  
of White Plains

See enclosed flyer for details

### ▶ PRESIDENT'S MESSAGE

This time of the year we are all thinking about the upcoming Thanksgiving feasts with our families, holiday parties with our colleagues, shopping for gifts, and priceless family holiday fun. As you count your blessings and enjoy time with your family this season, please consider giving back with a donation to the WWBA Foundation. Having the opportunity to be an attorney is a true privilege. The WWBA Foundation provides grants that inspire young people to experience and consider joining the legal profession. The WWBA Foundation provides grants that assist promising law students in reaching their goal of becoming attorneys. The WWBA Foundation also provides grants that touch those in need in the Westchester community. With even a small donation, you can honor your family and profession by spreading hope, inspiration and help to very deserving people.



Here's good news – one of the easiest ways to donate to the WWBA Foundation is by attending the WWBA Holiday party on December 10th! Every year the WWBA hosts a

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## ▶ WWBA Member Newsletter



**NOVEMBER 2008**

Published Monthly by the  
Westchester Women's  
Bar Association, a Chapter of  
the Women's Bar Association  
of the State of New York

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*Editor-in-Chief: Lonya A. Gilbert • Designed and Printed by IPM Media Group, Inc. (516) 809-0501*

## ▶ 2008-2009 WWBA Committee Chairs

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Environmental & Land Use .....	Lucia Chiochio, Anna L. Georgiou	Westchester County Association Member on WCA Board ...	Dawn Arnold
	Katherine Zalan	WWBA Foundation President .....	Linda Markowitz
Gender Dynamics .....	Hon. Terry Jane Ruderman	WWBA Delegate to WBASNY Judicial Screening Committee	
Golf Outing .....	TBD		Gail M. Boggio
Holiday Party .....	Julie S. Kattan	WWBA Delegate to WBASNY Mentoring Program	
Holiday Party/Crafts .....	Beth Willensky		Mary Beth Morrissey

## President's Message

from page 1

spectacular party at the Women's Club of White Plains for its members and special sponsors. There is no charge to attend, but we do encourage you to help us give back to those in need by either bringing a gift for an underprivileged teenager or purchasing cards from the WWBA Foundation, (or of course, you can do both!). When you are enjoying a cocktail and catching up with old friends at the party, please consider donating to a very worthy cause by purchasing WWBA Foundation cards.

I am thrilled to report that we have an unprecedented number of brand new members joining this term and renewals are coming in quickly. The WWBA year runs from June 1 through May 31. If you have not renewed your membership yet, please do it right now. (Well, you can finish reading the newsletter first, but then take action and renew your membership before the hectic holidays distract you.) It is extremely important that we certify our membership numbers to the Women's Bar Association of the State of New York. Every member counts toward the number of delegates we have at the state level. The more delegates, the stronger the Westchester Women's Bar Association's voice is on everything WBASNY does, including extremely important legislative issues in Albany, screening Court of Appeals candidates, acquiring awards and accolades for our members, and guiding policy. Returning to a favorite topic, another simple way to donate to the WWBA Foundation is to include a check with your membership renewal form. There is a box on the form for donations to the WWBA Foundation.

Have a Happy Thanksgiving! Enjoy your family and if you eat too much turkey, please give yourself a break by just putting on some sweatpants and taking a guilt-free nap. ▀

Dawn

## ▶ Editor's Note

Hi everyone: After three months I think I am finally getting the hang of this thanks to all my support from Dawn, Donna, Linda and Julie! Please try to get your articles to me by the 12th of the month so they will make it into the next issue. I welcome all your questions and comments. You may reach me at nefesh18@hotmail.com. Best,

~ Lonya Gilbert

## ▶ Making Dates and Getting Published

We welcome your submissions! The deadline for newsletter submissions is the **twelfth of the month prior to publication**. Submissions should be sent as email attachments (do not submit proposed text in the body of the email itself) to nefesh18@hotmail.com (Microsoft Word only other than flyers or photographs). Photographs must be high-resolution (150 dpi or more). Articles should be 1,000 words or fewer. Authors must spell-check, cite check and blue book all entries before submitting. Remove all pagination, headers, footers or other formatting, other than bold, underline or italics. We encourage authors to submit their photographs for publication with their submissions. Authors must include a short biographical statement with their submissions. (E.g., Lois Lane is a 2006 graduate of Pace law school and is awaiting admission to the NY bar; Jimmy Olsen is in private practice in White Plains where he concentrates on matrimonial matters).

Please **telephone** Lonya Gilbert, 2008-2009, Corresponding Secretary and Editor-in-Chief of the WWBA Newsletter, at (914) 833-5297 to schedule all WWBA sponsored or co-sponsored events, including, e.g., committee meetings, speakers, CLE programs, panels, etc. To view existing event postings first visit our website: [www.wwbany.org](http://www.wwbany.org) and click on the Calendar tab. Conflicts in scheduling will be assessed on a case by case basis, with priority for early submissions.

Once you have reserved the date with Ms. Gilbert, you can submit an event form online at our website's calendar tab, which will publicize your event on both the website calendar and in the printed newsletter calendar. We will also consider event form submissions from outside organizations regarding upcoming events that may be of interest to our members.

Materials submitted allow the WWBA limited copyright and full permission to reprint the material in any WWBA publication or on its website without additional consent.

Members who wish to receive the newsletter electronically only should email [lindasurace@wwbany.org](mailto:lindasurace@wwbany.org) with that request. ▀

## Advertising Rates

### Full Page Display Ad

5-10 Issues - \$525.00 per issue • 1-4 Issues - \$575.00 per issue

### Half Page Display Ad

5-10 Issues - \$275.00 per issue • 1-4 Issues - \$300.00 per issue

### Quarter Page Display Ad

5-10 Issues - \$165.00 per issue • 1-4 Issues - \$180.00 per issue

*Deadline for all ads is the 12th of the month prior to publication.  
Call Lonya Gilbert at (914) 833-5297 for any questions regarding advertising.*

# U.S. INHERITANCE LAWS AND EDUCATION FINANCING BY NANCY HOCA

*Composed from WWBA Member and Former Vice President Susan Brown's Speech Given in Paris, France, February 7, 2008*

## **Inheritance and transfer taxes**

The most important factor here is federal law. The individual states also have inheritance taxes, but in general the federal rates are much higher so they are the ones with which to be principally concerned.

On the occasion of a person's death, his/her assets can be disposed of by a will, by a living trust or by other means such as joint ownership. The inheritance taxes are the same in these various cases, but there is a difference in the probate procedure. In any case, the heirs do not have any direct tax liability. The taxes are paid out of the estate, and it is only what is left after taxes that is distributed to the heirs.

The amount of an estate which is tax exempt varies from year to year. For someone who dies in 2008 the exemption is \$2 million. In 2009 this amount will be raised to \$3.5 million. In 2010, the current tax law will have expired and there will be no inheritance tax. In 2011 the situation will return to what it was before the current tax law went into effect, and the exemption will be 1 million dollars. The maximum tax rate for the amount over the exemption is 45 percent.

To avoid paying inheritance taxes, some people seek to transfer a significant amount of their assets before they die in the form of gifts to members of their family or others. Laws regulating these transfers differ depending on whether the people involved are US citizens or not, and (for non-citizens) whether they are US residents or not.

The maximum global amount that can be given by a US citizen, without payment of the gift tax, is \$1 million. The gift tax is not assessed on annual gifts, but by an amount limited to \$12,000 per year to each person, if the donor is an individual, or \$24,000 for a couple. There is an exemption for tuition or medi-

cal expenses paid directly to the provider. Education expenses can even be paid in advance, if you know what school a child will be attending in the future.

The current estate tax law which has been in force since 2001 is being slowly phased in. A compromise is possible for the period after 2011; perhaps a \$3.5 million exemption and a 35 percent tax rate.

An important factor in placing a value on an estate is the "step up in basis" which is currently applied. This is a very favorable manner of viewing capital gains. It means that an asset, such as a house or a block of stock that was bought 30 years ago, is valued at the amount it is worth at the time of death, so that it is not necessary to pay capital gains taxes on the difference between the cost of acquisition and the current value. The repeal of the estate tax would remove this advantage.

## **Education - Gift tax and Income tax exemptions**

Payments for education which are made directly to the provider are gift-tax exempt. They are not counted as part of the \$12,000 per year gift exemption. They can be made to a school which is not located in the US.

It is also possible to transfer money to a minor's bank account for this purpose. The child, who must be under 21 years of age, is the owner of the account but there must be a custodian who assures that any expenditures are made for the correct purpose.

An education trust can be created, to which an individual can make gifts of up to \$12,000 per year, gift-tax free. Such a trust can also own a share of a family business. The more popular forms of income-tax deferred savings accounts for education include the Cloverdale education savings account, to which one can give up to \$2,000 a year for a minor up to age 18 and which can be used for primary and secondary education. A "529 plan account" can be contributed to by various people, and money removed from it to be used for education is presently not income taxable. This possibil-

ity will end in 2010, but any money remaining in it at that time will be taxed at the rate of the owner (the student), so probably at a lower rate than the parents would have paid for it. These accounts can be used to pay for education at certain non-US educational institutions. An additional advantage is that it is possible to put in annual gift-tax excluded deposits for five years in advance.

## **Estate Plans**

A US citizen's estate is considered to be his/her world-wide assets, against which there is presently a \$2,000,000 estate tax exemption. This is true even if the person is not a resident of the United States. For a non-US citizen, only US assets are taken into consideration, with the estate tax exemption amount being limited to \$60,000. There are tax treaties between the US and many countries, including France, giving tax credit so as to avoid double taxation by the two countries.

The Qualified Domestic Trust is a manner of permitting a non-US citizen spouse to defer payment of US inheritance taxes. There must be a US citizen trustee. Income from the trust can go to the non-US citizen spouse estate-tax free, but that spouse would be required to pay the estate tax upon withdrawing any portion of the principle.

It is also possible to make gifts between spouses. In a marriage with one spouse a US citizen and the other non-US citizen, the US citizen can make a gift to the non-US citizen spouse of up to \$128,000, but the non-US citizen can make unlimited gift-tax free gifts to a US citizen spouse.

For real estate, the title to the property is important. For example, when purchasing a piece of real property which is registered in the names of both spouses, there is no gift tax, but if the US citizen spouse paid for the jointly-titled property, then when it is sold half of the proceeds are considered as a taxable gift to the non-US citizen spouse if they exceed the amount of \$128,000.

*continued on page 7* ➡



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## WWBA General Membership Meeting

### ~ How To Pick A Jury ~

November 12, 2008 • 5:30PM - 8:00PM

Bank Of New York, 701 Westchester Avenue White Plains, NY

*Panel: Hon. Gilbert Rabin, Hon. Barbara Zambelli,  
Charles Martin Arnold, Esq. and Beth A. Willensky, Esq.*

*Moderated by Jill C. Owens, Esq.*

The Panel will discuss effective techniques for picking a jury in the NY State Courts and practical procedural advice regarding jury-related issues.

Please R.S.V.P. by November 7, 2008, to Lisa M. Bluestein, Esq.  
5 Sun Valley Heights Rd., North Salem, NY 10560 • (914) 276-3935 or [lbluestein@optonline.net](mailto:lbluestein@optonline.net)  
2 CLE Credits (Accreditation Pending) • \$35.00 payable to WWBA • Light supper will be provided

# Beyond the Courtroom, A Daughter Remembers

by Sara Debbie Gutfreund, daughter of Hon. Joan B. Lefkowitz



Sara Debbie Gutfreund and Hon. Joan B. Lefkowitz

The spring twilight descends slowly between the buildings. I watch the sun's last rays of light glint off hundreds of windows which throw the light back towards the sky in a dazzling array of shredded diamonds. We sit at the table surrounded by tall, white candles and leafy, green trees. The sidewalk sparkles as people walk past us. It has been a long time since we have done this: a private mother/daughter dinner. I am in New York with my Mom for a whole week by myself. My husband is watching our four little children in Israel. My Mom and I shop. We walk together at dawn. We attend a cousin's bat mitzvah and another cousin's graduation. We stop at the courthouse, and I say hello to my Mom's secretary and law secretary, beloved figures from my childhood. Tonight we are having dinner in Manhattan, an event that echoes with the trips into the city of my childhood. When I was a little girl and my Mom was building her judicial career, she always brought me into Manhattan for my birthday. We would go to FAO Schwartz and to Central Park. We

would have lunch together and window shop. Now we sit across from each other and speak about motherhood. We speak about how hard it is to find the right balance between a career and a home. I speak about my own struggles as a psychologist, a writer and a full time mommy. We speak about our strengths and limitations. And then we begin to reminisce about the past. When my mother and her sister were little girls, my grandmother told my mother: You are always arguing with me. And you argue well. So you will be a lawyer. And to my Aunt, who was always pulling apart her dolls and putting them back together, my grandmother said: And you will become a nurse and marry a doctor. They both listened. You had to know my grandmother, may her name be remembered for blessing, to understand why everyone obeyed her. She had fiery green eyes and a quiet, spiritual determination. So my Mom became a lawyer and soon after, married my father. But all beginnings are hard. The first time that my Mom took the bar exam she failed because she was so nervous that she accidentally skipped one question without realizing it. Then after she passed and began working, she was fired when

the head of the firm realized that she was pregnant. Years later, this same lawyer who fired her, would appear before my Mom on a case in the Supreme Court and the wheels would be turned. And then my Mom was fired from her second job because she needed to leave early to meet her kids' school bus. Finally, my Mom set up a private practice in a little office in White Plains. There, my Mom kept a drawer full of crayons and paper and would sometimes bring my brother and I there after school. Once, in those early years, my Mom was part of a team of lawyers on a big murder case going up to the Court of Appeals. She took my brother and me with her for that case, dressed in our navy shabbos coats with the gold buttons. My Mom was part of the defense team, trying to help

an innocent hotel worker who was accused of intentionally starting a fire that killed many people in the hotel. The head of the team was driving the car, and he was extremely stressed about the case. The defendant was also in the car with us when suddenly my brother, who was maybe six years old at the time, asked my mother: "If you lose this case, then does that mean that we are in the car with a real live murderer?" The head lawyer pulled over and started screaming: "Get that kid out of my car! I can't take this now! I can't listen to this. He's making me nervous!" Eventually he calmed down, and my brother stopped asking questions. The defendant was acquitted.

Later, when my Mom first ran for the position of Family Court *continued on next page* ➔



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Member




# Beyond the Courtroom, A Daughter Remembers

from previous page

Judge, it was a family effort. My maternal grandparents and great grandparents lived nearby, and they had always been a daily part of my childhood. My grandmother was always babysitting for us, cooking fresh dinners and driving my brother and me to our various activities. When Governor Cuomo appointed my Mom as a family court judge, my grandmother and great grandmother were sitting in the front row at her speech. She lost that election in November, but my mother was a fighter. She inherited that trait from my grandmother who saved pennies in a jar to buy their first home and fought for Shabbos in a time and place where religion was quickly becoming outdated. The next campaign was another family project. My grandmother, with her terrific organizational skills and unflagging perseverance, was the campaign manager. She scheduled events and meetings. At five in the morning, my grandparents were in our

kitchen with their "Keep My Daughter, Judge Joan B. Lefkowitz, on the Family Court" buttons pinned to their shirts. Soon after, the rest of the campaign team would arrive, and they would all head out to the train station to hand out pamphlets. I had my own "Vote for My Mom" button and shirt. My Mom won that election and went on to become a Supreme Court Judge with my grandmother as her campaign manager.

We laugh now about the tough cases that we remember. Once an old fashioned lawyer kept referring to my Mom as "honey" during a case. So my Mom reminded him that he should address the bench as "Your Honor." But the lawyer kept repeating his mistake until my Mom told him that she would hold him in contempt of court for disobeying a judicial order. And the next time he called her "honey" my Mom followed through and said: Now you are in contempt of court. Next time you will remember to address me

in the proper way. And then there was the time a caller to a local radio station publicly issued a death threat to my Mom. An armed guard had to escort my Mom to her car and from our house. Then there was an abusive husband who became angry when my Mom ordered him to be imprisoned. He attacked the court guard, and my Mom had to be rushed out of the courtroom and hidden in her chambers until they got the man under control.

The years seem to fly before us as we speak about our lives today. Today my mother is still a Supreme Court Judge, but she is also an enthusiastic grandmother. She comes to visit us in Israel frequently, and she is always shopping for her grandchildren. I often get phone calls that sound like this: "I found three beautiful dresses that are just perfect for Yom Tov. And of course, I didn't forget about the baby who now has his first three-piece suit!" When Grandma Joanie is here and my children

fight, my Mom makes a mock trial for them. This confuses my kids so much that they usually stop arguing right away. A while ago, one of my toddlers was having a tantrum and my Mom was trying to distract her so she said: "If I want the sky, can I have the sky?" My daughter stopped crying to consider this question. She shook her head. "But I want the sky! Why can't I have the sky?" My Mom pretended to kvetch to my daughter. "Because Grandma, the sky is Hashen'sl!" My daughter answered. "That's right. So we can't always have everything we want." And then my Mom turned to me and winked: "But that never stopped us from trying." ▀

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*This article was originally published in the Binah Magazine, volume 2, September 22, 2008*

## U.S. INHERITANCE LAWS AND EDUCATION FINANCING

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Some people (particularly wealthy ones) find that a possible way to avoid American taxes of various types would be to renounce American Citizenship. However this is only a very long-term solution, as they would still be liable for payment of US taxes for ten years. In any case, this solution would only be useful for persons living in countries with lower tax rates than the US. *Presenter's update: Since making this presentation in February, 2008, new "exit" rules have been enacted under which certain in-*

*dividuals who give up US citizenship or their green cards pay an immediate tax on the unrealized gain on their world-wide assets. Going forward, the ten year "shadow period" is repealed.*

Lastly, there are some opportunities available to avoid US estate and gift tax if planned properly. For example, a US "foreign" trust might be created by the non-US citizen spouse, to avoid US estate taxes on the deaths of both spouses. These techniques require careful planning and consultation with tax attorneys both in the domicile country and in the US.

For those who still have questions that they would like to have answered, Susan Brown kindly provided an email address to which they can be directed: [sbrown@glassmanbrown.com](mailto:sbrown@glassmanbrown.com). Susan can only provide general information in answer to general questions. ▀

Nancy Hoca



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*This article was originally published in the April/May 2008 The Association of American Wives of Europeans. Opinions expressed in the article are solely those of the author(s) and do not constitute positions taken by the WWBA.*

*Susan S. Brown, Esq., a partner of the White Plains law firm of Glassman & Brown, LLP, resides in France and continues her association with her law firm via internet and periodic trips to New York.*

## Westchester Women's Bar Committee Activities

### Tax

The Tax Committee will be holding a program on November 18th from 6:00-8:00 at the Bank of New York 701 Westchester Avenue, White Plains entitled "Effective Estate Planning Techniques with Retirement Plans." The program will cover both basic and advanced methods of minimizing estate taxes and deferring income taxes on retirement plan assets, post mortem planning techniques, and utilizing trusts in conjunction with retirement plans." For more information please contact Daniel Timins at (914) 819-0663 or dtimins@tdlawoffices.com. ▀

### Education

The Education Committee will be having a roundtable discussion addressing new questions in Education Law, including special education and other issues. The meeting will be held on Wednesday, November 19th at 6:00 p.m. at 2975 Westchester Avenue, Suite 208, Purchase, NY 10577. There will be a \$10 cover charge for a light dinner. Please RSVP to Julie Passman at passmanspecial@aol.com or 914-253-8804. ▀

### Lawyering and Parenting

The Lawyering & Parenting Committee is presenting a lunch program entitled "Navigating Today's Turbulent Financial Markets," to be held on Friday, December 12, 2008, 12:30-2:00 p.m. Ann McNulty, Financial Advisor and Financial Planning Specialist at Citi Smith Barney, and Susan Plastini, Divisional Wealth Specialist at Legg Mason, will present a comprehensive and educational program on the status of the financial markets and your money (including retirement, college funds, 401K, etc.). Lunch will be provided by Legg Mason. To be held at the Law Office of Rita J. Tino, 2 Gannett Drive, Suite 108, White Plains, NY 10604. Please R.S.V.P by e-mail to Virginia Clarke at virginiaclarke3@aol.com or Rita Tino at rtino@optonline.net, or by phone to Rita Tino's office at 914.696.0600. ▀

### Appellate Practice

Please be advised that the Rules of the Appellate Terms for the Second and Eleventh Judicial Districts and the Ninth and Tenth Judicial Districts have been amended, effective September 17, 2008. However, to allow the bar and the public time to familiarize themselves with these changes, enforcement of some of those rules will not begin until November 1, 2008. ▀

## Judicial Screening Committee 2008 Judicial Screening Report

The Westchester Women's Bar Association ("WWBA"), a chapter of the Women's Bar Association of the State of New York, has released its ratings of the candidates for the Westchester County Court. This was a highly unusual year in that the only position for which an election will be held in the major courts of Westchester County is for one seat on the Westchester County Court. There are no candidates running for seats in the Supreme Court in the Ninth Judicial District, the Family Court for Westchester County or the Surrogate's Court for Westchester County.

The WWBA offers ratings through its Judicial Screening Committee, which conducts interviews of the candidates. The ratings are based upon the criteria of judicial temperament, knowledge of the law, legal writing ability, general reputation, character and fitness, and attitudes towards women's issues. Possible ratings are "outstanding," "well qualified," "qualified" or "not qualified" for the judicial office the candidate seeks.

Candidate	Rating
Hon. Susan Capeci	Well-Qualified
Raymond W. Belair, Esq.	Not Qualified

The Hon. Susan Capeci submitted written materials to, and appeared before, the Judicial Screening Committee. Raymond W. Belair, Esq. did not submit written materials nor did he appear before the Judicial Screening Committee.

Ratings are determined after conducting a personal interview of each candidate and considering a written questionnaire, a resume and other documentation, including written decisions, legal briefs and other relevant writing samples submitted by the candidates. The Committee also takes into consideration the candidate's judicial experience for the position sought and references solicited from lawyers who have either appeared before the candidate, and/or appeared as opposing counsel or co-counsel with the candidate. If a candidate does not appear before the Committee, fails to submit written materials, or otherwise fails to cooperate with the Committee, a rating of "not qualified" is given. All interviews and deliberations remain strictly confidential.

This year, the WWBA Judicial Screening Committee is co-chaired by attorneys Gail M. Boggio and Loren I. Glassman. Other members of the Committee are attorneys Lisa Bluestein, Dolores Gebhardt, Janet Johnson, Sandra K. Kurtz, Roberta Michael, Marilyn S. Reader, Beverly Rogers and Steven A. Swidler.

Contact Dawn Arnold for copies of the Press Release containing additional details. ▀

## ▶ November Practice Management Tip

# A Complete Marketing Message Screens Prospects and Makes Efficient Use of Your Time

I work hard not to use the word "sell" because I dislike everything selling-based marketing stands for. Still, I want to relate an old adage that contains this distasteful term. So please forgive the verbiage and absorb the message. The old adage says, "The more you tell 'em, the more you sell 'em."

What it means is this: the more information you give prospects, the more likely you are to win new clients.

Here's an example: one prospect comes into your office and says he can give you five minutes to explain how you can help him. Another prospect says he can spend half an hour with you.

Which of these two prospects is more likely to hire your services?

No doubt, the one who gave you more time. Why? Because you were able to tell him more about his problem, about your background and experience, and about the solutions you can provide.

Now take the same principle and apply it to your marketing message. It makes no difference whether we're referring to your educational packet, seminar, newsletter, web site, or anywhere else you deliver your marketing message. Your information should be complete. You should discuss everything you would discuss in a personal meeting with your prospect. The only thing that's missing is the actual one-on-one personal contact.

A complete, competent

marketing message should include (1) a detailed explanation of your prospect's problem, (2) proof that the problem is so important that it should be solved now, without delay, (3) an in-depth discussion of your background and qualifications, (4) examples of other clients you have helped with similar problems, (5) comments from past clients and colleagues attesting to your skill and experience, and (6) a detailed discussion about fees and payment terms.

Some lawyers hesitate to discuss fees or other subjects they believe prospects might view in a negative way. The lawyers figure it's better to wait until the prospect is in the lawyer's office, when personal contact is at its highest and the strength of the relationship at its strongest.

But waiting for the one-on-one meeting isn't always best because it may not be an efficient use of your time. How often have you spent considerable time with a prospect only to later learn that the prospect: (1) doesn't fit your client profile; (2) doesn't need exactly the service you offer' or (3) can't afford your fees?

Had you explained your client parameters to your prospect before your appointment, you would not have wasted your time.

Still, I understand that some cases are complex and require that you ask in-depth questions before you determine whether to accept a client. So I'm not ruling out the value of meetings. Even so, the more information you provide before the appointment, the fewer appointments

you'll waste with prospects who fall outside your client parameters.

When you offer complete details in your written materials, seminars, and web site, you'll find that prospects who don't meet your requirements (and, therefore, aren't really your prospects), usually won't call you. In this way, your marketing message screens out people who aren't your prospects simply because you described your client parameters in your marketing message.

In fact, if you wish, you can go one step further and insert a message for prospects who are not within your target audience. You might say something like, "If you do not fall within the group of clients I serve, you're invited to call (someone else)."

Or, if you don't want to make a blanket referral, you can invite them to call your secretary who can make a referral privately. In this way, you build goodwill with lawyers to whom you make referrals, but still don't personally get involved in what could be a time-consuming screening process.

The prospect wants help. So even if that help doesn't come from you, the prospect will feel grateful if you can point him in the right direction.

Don't overlook this important point: prospects often know very little about your knowledge, skill, judgment or experience. But one thing they can and do judge, almost immediately, is the degree to which you're willing to help them.

You build a great deal of goodwill, even among non-prospects, when you help them find the help they need. Then, one day when their needs fit the profile of the clients you serve, they'll remember how much you helped them and may ask again for your help. They may also send you referrals.

So, don't hesitate to explain all the details about your services in your marketing message. You can say just about anything in ways that appear positive, qualify your prospects, and help you invest your time efficiently.



This month's Practice Management Tip was provided by Trey Ryder, a law firm consultant who specializes in Education-Based Marketing for attorneys. He offers lawyers three free articles by e-mail: 11 Deadly Assumptions That Kill Your Marketing Program, Marketing Secrets of a Powerful Web Site, and 17 Fatal Marketing Mistakes Lawyers Make. To receive these articles, send your name and e-mail address to [trey@treyryder.com](mailto:trey@treyryder.com) and ask for his free e-mail packet of articles.

## ▶ Chapter News and Announcements

### Announcements & Notes on Members

□ **Jody Fay** hit a hole-in-one at a golf outing held by our sister-chapter, the Orange-Sullivan Women's Bar Association on September 24, 2008. The event was also attended by WWBA members **Adrienne Orbach** and **Julie Kattan**.



*Jody Fay's Hole in One*

□ Sustaining Member **Susan M. Damplo** was named in New York Super Lawyers— Metro Edition 2008 in her field of practice, Appellate Law. She litigates civil and criminal appeals in state and federal courts. She also serves on the Committee on Courts of Appellate Jurisdiction for the New York State Bar Association.

□ **Jeanna M. Alberga** was appointed as an Adjunct Professor at St. Thomas Aquinas College in Sparkill, New York to teach Civil Law and Introduction to Courts.



*Julie Kattan, Adrienne Orbach, Amanda Brady, and Michelle Babcock*

□ **Bernard A. Krooks**, co-founder and managing partner of Littman Krooks LLP, has been named again to the list of New York Metro Super Lawyers. Mr. Krooks is a widely quoted practitioner of elder law, special needs planning and estate planning matters.

□ **Adrienne J. Arkontaky** has been named to the Board of Directors of Family Ties of Westchester, Inc., a non-profit organization whose mission is to provide lasting and effective support services to families of children in Westchester County with social, emotional, and behavioral difficulties. Family Ties of Westchester offers support groups for parents and other caregivers, respite activities, and family recreational activities throughout the year. They also offer parent skills trainings and educational workshops to assist families of children with emotional and behavioral issues become better equipped with appropriate parenting skills and access to necessary information. ▀

### Classifieds

□ Christie L. McEvoy-Derrico and Martha McCarty are looking for an attorney who is interested in renting a large spacious room in their office located in Mamaroneck. The office has 2 conference rooms available for use, great views, internet access and is conveniently located next to the Mamaroneck train station. For more information please email: [cderrico@soundshorelaw.com](mailto:cderrico@soundshorelaw.com) or call 914-698-2880.

□ Sublet 1-3 offices in plush professional suite in downtown White Plains, walking distance to courts and train. Includes reception area, with meet and greet services. Access to law library, conference rooms, secretarial area and kitchen. Parking available. \$900.00 - \$1,400.00 depending on special requirements. Reply to Andrew Greene (914) 948-4800 or e-mail at [ag@gzlaws.com](mailto:ag@gzlaws.com). ▀

## ▶ Become a New Member Today

The advantages of joining the Westchester Women's Bar Association are countless. We were founded in 1974, and are dedicated to promoting justice in the study, practice and application of law. Our diverse membership includes women and men who are attorneys, judges, law professors, public officials and public employees.

When you join the Westchester Women's Bar Association, you automatically become a member of the Women's Bar Association of the State of New York (WBASNY), at no additional cost. WBASNY is comprised of sixteen chapters across the state with approximately 3,000 members. More professional and personal benefits include:

*Invaluable networking opportunities*

*Unlimited information resources*

*CLE programs*

*Seminars and lectures on timely legal issues*

*Attorney support systems*

*Legal advocacy on significant issues*

*Participation in various and diverse committees*

*Involvement in the Westchester County judicial process*

*Programs for new members and newly admitted attorneys*

*Membership directory cross-referenced by practice area*

*Information on professional opportunities*

*Friendship and fun*

To join immediately, or for more information, call (914) 347-3662 or see our website at [www.wwbany.org](http://www.wwbany.org). ◆

# WESTCHESTER WOMEN'S BAR FALL NETWORKING EVENT



Christine Fiorile, Mahta Khanjar, Giulia Chiti



Chrystalia King, Lisa McWhirter



Roseanne Piccone, Brett Lando

## ▶ Westchester Women's Bar Association New Members

**The Westchester Women's Bar Association proudly welcomes our newest members:**

**LISA BYRNS, ESQ.**

37 Ballwood Road  
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*Law Student*

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**LINDA M. TIRELLI, ESQ.**

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Email: lindatirelli@bankruptcyprotectionexpert.com  
*Bankruptcy*

## ▶ WWBA Schedule of Upcoming Events

COMMITTEE	DATE/TIME	PLACE	TOPIC	RSVP
WWBA Board Meeting	11/5/08 Light Supper & Meeting 5:30-7:30 pm	BNY Mellon 701 Westchester Ave White Plains, NY	Board Meeting	Dawn Arnold (914) 381-7400 or <a href="mailto:president@wwbany.org">president@wwbany.org</a>
WWBA General Membership Meeting	11/12/08 5:30-8:00 p.m.	BNY Mellon 701 Westchester Ave White Plains, NY	How to Pick a Jury	Lisa M. Bluestein 914-276-3935 or <a href="mailto:lmblystein@optonline.net">lmblystein@optonline.net</a>
Tax Committee	11/18/08 6:00-8:00 pm	BNY Mellon 701 Westchester Ave White Plains, NY	Effective Estate Planning Techniques with Retirement Plans	Daniel Timins (914) 819-0663 or <a href="mailto:dtimins@tdlawoffices.com">dtimins@tdlawoffices.com</a>
Real Estate Committee	11/19/08 12:00-7:30 Free for all Realtors and WWBA & WCBA Members	Crowne Plaza Hotel White Plains	Various Topics Involving Hot Real Estate Issues. Five Separate Programs.	Jody Fay (914)428-4787 or <a href="mailto:jfay@libertytitle.biz">jfay@libertytitle.biz</a>
Education Committee	11/19/08 6:00-8:00 pm	2975 Westchester Ave Suite 208 Purchase, NY	Roundtable Discussion on Hot Topics in Education Law	Julie Passman (914)253-8804 or <a href="mailto:passmanspecial@aol.com">passmanspecial@aol.com</a>
WWBA Board Meeting	12/3/08 Supper & Meeting 5:30-7:30 pm	BNY Mellon 701 Westchester Ave White Plains, NY	Board Meeting	Dawn Arnold (914) 381-7400 or <a href="mailto:president@wwbany.org">president@wwbany.org</a>
WWBA Holiday Party	12/10/08 5:30-7:30	Womens Club of White Plains 305 Ridgeway White Plains, NY	Holiday Networking Event	Julie Kattan (914)355-2955 or <a href="mailto:julie0601@aol.com">julie0601@aol.com</a>
Lawyering and Parenting Committee	12/12/08 12:30-2:00pm	2 Gannett Drive Suite 108 White Plains, NY	Navigating Today's Turbulent Financial Markets	<a href="mailto:VirginiaClarke3@aol.com">VirginiaClarke3@aol.com</a> or <a href="mailto:rtino@optonline.net">rtino@optonline.net</a> or (914) 696--0600

WWBA is a chapter of WBASNY which is an approved provider of CLE credit. Full and partial scholarships for CLE programs based on financial need are available. For information on the guidelines and procedures for applying, please contact the person running the program. All requests are strictly confidential. All programs are for transitional credit unless the program states otherwise.



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Bar Association**  
45 Knollwood Road, 3rd Floor  
Elmsford, New York 10523  
(914) 347-3662  
[www.wwbany.org](http://www.wwbany.org)

**REMEMBER, YOU CAN FIND THE WBASNY WEB PAGE  
AT [WWW.WBASNY.ORG](http://WWW.WBASNY.ORG).**

**PLEASE REMEMBER TO RECYCLE**