



WWBA news

Westchester Women's Bar Association

March 2009

www.wwbany.org

NEW YORK ENACTS NEW POWER OF ATTORNEY LAW

Jeffrey S. Goldstein, Esq. and Judy B. Brownstein, Esq.

On January 27th, Governor Paterson signed new power of attorney legislation as Chapter 644 of the Laws of 2008. The law makes significant changes to the existing law, including a new statutory short form to be executed by the principal and the agent and notarized, and, if a principal wants to authorize the agent to make gifts, an additional form that must be witnessed as well as notarized. As enacted, the law has a March 1, 2009 effective date. However, it is anticipated that the effective date will be extended to at least September 1, 2009.

The new law contains substantial amendments of the existing provisions on powers of attorney, addressing, among other issues, the impact of HIPAA's Privacy Rule on powers of attorney, the fiduciary obligations of an agent, the delegation of authority to make gifts and other asset transfers, the circumstances under which the agent is authorized to make gifts to himself or herself, revocation of the power of attorney, the ability to appoint a third party to monitor the agent's actions, third party acceptance and rejection of the power of attorney, and the procedure for enforcing or challenging a power of attorney or the acts of the agent.

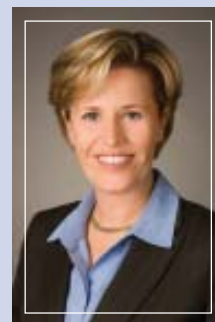
The major changes in the law include:

1. *Gifts and Property Transfers*: The authority to make gifts (other than to specified recipients not to exceed \$500 per annum) and other asset transfers must be granted through a statutory Major Gifts Rider or in a non-statutory power of attorney, which must be signed by the principal and acknowledged, and also signed by two disinter-

continued on page 5 ➔

► PRESIDENT'S MESSAGE

We're bigger than ever before! I am thrilled to tell you that we recently certified the highest number of members in the history of the WWBA. The organization continues to be dynamic, opening opportunities to members such as the new Alternative Legal Career Committee chaired by Mahta Khanjar. Many thanks to chairs of the membership committee Jody Fay, Dina Aversano, Kristin McKay and Katherine Sohr.



Save-the-date to attend the Meet the Federal Judges program on April 1st. All federal court practitioners will want to hear straight from the Judges' mouths what they considered best practices and tips on how to successfully represent your clients in the White Plains federal court. All bankruptcy practitioners will want to attend to welcome the Honorable Robert D. Drain, who will be our new bankruptcy judge in White Plains, transferring from Manhattan, when the Honorable Adlai S. Hardin, Jr. steps down from the bench in May 2009.

In honor of March as Women's History Month I am re-publishing some of our milestones in history as outlined in my March 2008 article.

Women's Right to Vote

In 1848, the first Women's Rights Convention was held in Seneca Falls,

continued on page 3 ➔

► INSIDE THIS ISSUE

MARCH 2009

- *Developments in Ethics and Professionalism* (page 4)
- *An Interview with Hon. Janet Difiore* (page 8)
- *Practice Management Tip* (page 9)
- *Upcoming Events* (page 12)

► SAVE THE DATE

WWBA GENERAL MEMBERSHIP MEETING

APRIL 1, 2009, 5:30-8:00PM

"A View from the Federal Bench: The Judges of the White Plains Federal Courthouse Speak"
Venue TBD

FOUNDATION FUND-RAISER

APRIL 29, 2009, 5:30-8:00PM

An Evening of Culinary Delight and Demonstration at Judge Miller's House

RSVP to Jody Fay at (914) 428-4787

▶ WWBA Member Newsletter



MARCH 2009

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

~ 2008/2009 Officers and Directors ~

President DAWN ARNOLD
Vice Presidents DONNA E. FROSCO DOLORES GEBHARDT DEBORAH A. SCALISE
Treasurer PATRICIA A. LAPORTA **Recording Secretary** JULIE S. KATTAN
Corresponding Secretary LONYA A. GILBERT **Immediate Past President** JODY FAY

Elected Directors Westchester Board
 HON. SANDRA FORSTER AMY GEWIRTZ LOREN I. GLASSMAN
 LISA SOLOMON AUDREY E. STONE

State Directors Women's Bar Association of the State of New York
 LISA BLUESTEIN FRANCES DeTHOMAS KATHLEEN DONELLI BETH FEDER
 HON. ANNETTE L. GUARINO ERIN N. GUVEN ANNETTE G. HASAPIDIS
 HON. ALAYNE KATZ ADRIENNE J. ORBACH SUSAN MILLS RICHMOND

Executive Director LINDA SURACE

© Copyright 2009 Westchester Women's Bar Association. All rights reserved.
 The opinions expressed herein are those of the author(s) only and do not reflect the official position of the Association.

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

▶ 2008-2009 WWBA Committee Chairs

STANDING COMMITTEES

By Laws	Laura Freeman, Laura Vanderbrook	Membership ...	Dina Aversano, Jody Fay, Kristen MacKay, Katherine Soh
Corporate & Commercial	Jill C. Owens, Linda Liberatore	Networking	Meredith Coleman, Jennifer Reinke
Criminal Law	Hon. Sandra A. Forster, Cynthia K. Dunne	WBASNY Nominations	Ann M. McNulty, Lisa Bluestein
Families, Children & the Courts	Shari R. Gordon, Hon. Alayne Katz	New Lawyers	Richard Gruenberger
	Hon. Irene Ratner, Lauren B. Abramson	Placement	Amy Gewirtz, Rachel Littman
Grievance/Ethics	Hon. Janet M. DiFiore, Deborah A. Scalise	Programs	Dolores Gebhardt, Donna E. Frosc
Judicial Screening	Gail M. Boggio, Loren I. Glassman	Public Relations	Donna Frosc, Dawn Arnold
Judiciary	Hon. Sandra A. Forster, Hon. Linda S. Jamieson	Real Property	Jody Fay, Dwight D. Joyce
Legislation	Joelle M. Burton, Sylvia Goldschmidt	Taxation	Susan D. Edwards, Daniel Timins
Matrimonial	Frances DeThomas, Kathleen Donelli, Lonya Gilbert	Trusts & Estates	Nancy J. Rudolph, Karen J. Walsh

AD HOC COMMITTEES

ADR	Annette L. Guarino, Lauren S. Morrissey, Lynn J. Maier	Holiday Party/Crafts	Beth Willensky
Alternative Legal Careers	Mahta Khanjar	Immigration	Sonia Lopez Gonzalez
Annual Dinner	Julie Cvek, Dolores Gebhardt	International Women's Rights	Dale Siegel, Mary Beth Morrissey
Appellate Practice	Annette Hasapidis	Lawyering & Parenting	Virginia Clarke, Rita J. Tino
Archive & Historian	Susan L. Pollet	Long Range Planning	Kathy Rosenthal, Carla D. Glassman
Awards	Deborah A. Scalise, Hon. Carole Princer Levy	Litigation	Lisa M. Bluestein, Barbara Curtis
Bankruptcy	Julie Cvek, Susan Mills Richmond		Angela Marcone Giannini
Breast Cancer Awareness	Roberta L. Michael	Network of Bar Leaders	Dawn Arnold, Jody Fay
Community Outreach	Stephanie M. Roebuck, Deborah A. Scalise	Pace Board of Visitors	Dawn Arnold
Continuing Legal Education	Ann M. McNulty	Past Presidents	Jane Bilus Gould, Mary F. Kelly, Linda Markowitz
Directory	Catherine E. Cotter, Leicia Grant	Practice Management	Lisa Solomon, Alicia Sandberg
Diversity in Membership	Leicia Grant, Stephanie Melowsky	Pro Bono	Erin Noelle Guven, Leicia Grant
Domestic Violence	Beth Feder, Joy Joseph	Souvenir Journal	Lisa M. Bluestein
Education	Susan Mills Richmond, Julie P. Passman	Technology/Website	Donna Frosc
Elder & Health Law	Jeffrey S. Goldstein, Mary Beth Morrissey	Westchester County Bar Association Director on WCBA Board	
Employment Law	Susan M. Corcoran, Paula Johnson Kelly		Kathleen Donelli, Linda Markowitz
Environmental & Land Use	Lucia Chiochio, Anna L. Georgiou	Westchester County Association Member on WCA Board ...	Dawn Arnold
	Katherine Zalanits	WWBA Foundation President	Linda Markowitz
Gender Dynamics	Hon. Terry Jane Ruderman	WWBA Delegate to WBASNY Judicial Screening Committee	
Golf Outing	Dawn Arnold		Gail M. Boggio
Holiday Party	Julie S. Kattan	WWBA Delegate to WBASNY Mentoring Program	Mary Beth Morrissey

President's Message

from page 1

"[W]e recently certified the highest number of members in the history of the WWBA."

New York, kicking off the suffrage movement and memorializing the demand for the right to vote. During the Civil War (1861-1865) women like Elizabeth Stanton, Susan B. Anthony and Sojourner Truth fought against slavery. They believed that the end of the war would bring an expansion of rights for both African Americans and women. To their dismay, in 1870 the Fifteenth Amendment was ratified providing black men with the right to vote, but failing to do so for women.

In 1913, five thousand women march on Washington, D.C. for the women's rights movement. In August 1920, the Nineteenth Amendment was finally ratified, providing women with the right to vote.

First Women

The first woman admitted to the bar was Arabella Mansfield Babb in 1869. The first woman to be a presidential candidate was Victoria Chafin Woodhull in 1872. The first woman to practice law before U.S. Supreme Court was Belva Ann Lockwood in 1879. The first woman in Congress was Jeannette Rankin in 1917. The first woman judge was Florence E. Allen in 1920. The first woman to own a seat on the New York Stock Exchange was Muriel Siebert in 1967. The first woman to become a justice of the U. S. Supreme Court was Sandra Day O'Connor in 1981. The first woman Secretary of State was Madeleine K. Albright in 1997.

Leaders of the WWBA

Finally, I must acknowledge the history of the WWBA. Thank you to our leaders, past presidents Cheryl J. Bradley, Hon. Barbara Kaiser, Hon. Sondra Miller, Mary F. Kelly, Hon. Ingrid S. Braslow, Hon. Virginia Knaplund, Jane Bilus Gould, Marianne L. Sussman, Hon. Jo Ann Friia, Karen Z. Bell, Susan L. Pollet, Carla D. Glassman, Linda Markowitz, Kathy Rosenthal, Kathleen Donelli and Jody Fay. Your unmatched efforts laid the foundation for the WWBA and continue to inspire women and men in the Westchester legal community. ▶

▶ Editor's Note

I would just like to take the time to encourage our members to participate in all our wonderful upcoming programs in both March and April. Additionally, the Women's Bar Foundation Board is having their first fund raiser on April 29th which is sure to be a fantastic evening for a worthy cause! Thanks again to Linda Surace, you make my job so much easier and for that I am incredibly grateful! ▶

~ Lonya

▶ 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 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 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.*

Recent Developments in Ethics and Professionalism

Deborah A. Scalise and Sarah Jo Hamilton

I. New Rules of Professional Conduct Effective April 1, 2009

New York State is the only state in the United States to follow the outdated ABA Model Code of Professional Conduct (the Code). However, effective April 1, 2009 that will change. In an effort to clarify and simplify the laws governing attorney conduct, the Administrative Board of the Appellate Divisions has approved the Rules of Professional Conduct (the Rules), based on the American Bar Association's Model Rules of Professional Conduct.

The current New York version of the Code is, according to the New York State Bar Association, an outdated amalgam of the Code, the ABA Model Rules of Professional Conduct (the Rules), and some unique New York adaptations. The new Rules will bring New York into conformity with all other states of the union and provide a uniform body of law with which to govern attorney conduct. These Rules can be found by accessing the Of-

fice of Administrations website at www.courts.state.ny.us.

II. The FDIC Extends Unlimited Insurance Coverage for IOLA Accounts

On November 24, 2008, the New York State Bar Association notified lawyers that as of November 21, 2008, the Federal Deposit Insurance Corporation (FDIC) will extend unlimited coverage to Interest on Lawyers Accounts (IOLA) pursuant to its recently enacted Temporary Liquidity Guarantee Program (TLGP). The TLGP was enacted to ensure security in deposited funds in light of the recent economic downturn.

Initially, the FDIC's October 23, 2008 Interim Rule establishing TLGP provided full deposit coverage only to non-interest bearing transaction accounts, thereby causing concern for attorneys maintaining client or third party funds. However, letters were sent by members of the NYSBA and other representatives of the legal profession to the FDIC and Congress requesting that the funds deposited in IOLA be fully insured regardless

of the amount deposited. This was necessary to allow funds maintained in IOLA to remain secure. As a result, the IOLA revenues derived from interest generated on IOLA accounts used to fund programs that provide legal services to the poor will not be dissipated. More information is available at www.nysba.org/newscenter. ▀

Deborah A. Scalise has served as Vice President of the Women's Bar Association of the State of New York, where she also serves as the Co-Chair of the Professional Ethics Committee. She is the former Deputy Chief Counsel to the Departmental Disciplinary Committee for the First Judicial Department. Sarah Jo Hamilton is the former Secretary to the Character and Fitness Committee and former First Deputy Chief Counsel for the First Judicial Department and serves as the Co-Chair of the Professional Ethics Committee of the Women's Bar Association of the State of New York. They are partners in the firm of SCALISE & HAMILTON, LLP in Scarsdale, New York (914)725-2801. SCALISE & HAMILTON LLP, focuses its practice on the representation of professionals (lawyers, judges, accountants, doctors, dentists, pharmacists, social workers, and government employees) in professional responsibility and ethics matters, and white-collar criminal matters.



Do your clients have charitable interests?

Make it easy for them with our

*** Donor Advised Funds * Field of Interest Funds**

Westchester Community Foundation

A division of The New York Community Trust

200 North Central Park Avenue, Suite 310 • Hartsdale, New York 10530

(914) 948-5166

www.wcf-ny.org

Your local philanthropic planning experts

New Power of Attorney Law in New York

from page 1

ested witnesses in the same manner as a Will. The Major Gifts Rider is attached to and executed simultaneously with the statutory short form power of attorney, and is preferred to the use of a non-statutory power of attorney. The Major Gifts Rider may authorize annual gift tax exclusion gifts to the principal's spouse, children or more remote descendants and parents, and, if the principal's spouse agrees to split the gifts, up to double the amount of the gift tax annual exclusion as gifts to children or other descendants and parents. Gifts do not have to be outright but can be made through methods such as trusts, UTMA accounts and 529 plans. In addition, the principal may authorize the agent to make gifts up to a specified dollar amount or an unlimited amount to anyone, including to the agent himself. The Major Gifts Rider also can authorize specified transactions including the ability to open, modify or terminate joint accounts, trust accounts, transfer on death accounts, life insurance contracts, retirement benefits and annuities and the ability to designate or change the beneficiary of any such accounts or contracts, and to create, amend, revoke or terminate an inter-vivos trust. An agent acting pursuant to such gifting authority must act in accordance with the instructions of the principal and, in the absence of such instructions, in the principal's best interests, an obvious reference to *Matter of Ferrara* 7 N.Y.3d 244 (2006).

2. *Fiduciary Duty of Agent*: New Section 5-1505 specifically states that the agent "has a fiduciary duty to the principal." A Notice to the agent is added to the statutory short form ex-

"The bill . . . permits the principal to appoint a third party to monitor the agent's actions on behalf of the principal, and gives the monitor the authority to request copies of documents . . ."

plaining the agent's role, the agent's fiduciary obligations and the legal limitations on the agent's authority. In order to accept the appointment, the agent must sign the power of attorney, thus acknowledging the agent's fiduciary obligations. Unless the principal so provides in the power of attorney, the agent is not entitled to compensation.

3. *Principal*: The statute expands the Caution to the principal to emphasize the serious nature of the document. The bill also permits the principal to appoint a third party to monitor the agent's actions on behalf of the principal, and gives the monitor the authority to request copies of the power of attorney and documents concerning the transactions of the agent on behalf of the principal.

4. *Health Insurance Portability and Accountability Act (HIPAA)'s Privacy Rule*: The statute adds the terms "health care billing and payment matters" to the terms "records, reports and statements," so that an agent can deal with the principal's medical bills without concern that the HIPAA Privacy Rule will prevent his or her access to the records.

Space considerations prevent discussion of the many other provisions of the statute including third party accep-

tance or rejection of the power of attorney, revocation and termination of the power of attorney, an expanded definition of financial institutions, and the availability of special proceedings to enforce acceptance of the power of attorney, determine its validity, and the like.

The new statute does not affect the validity of powers of attorney executed prior to the new law's effective date, al-

though it states that certain provisions are applicable to all powers executed prior to the effective date, including health care records, third party acceptance of powers of attorney, special proceedings, and the fiduciary duty provisions.

The newly adopted Statutory Short Form and Major Gifts Rider can be found at <http://public.leginfo.state.ny.us/menugetf.cgi> [type in Bill No. A6421-B/Year 2008 and check off "Text"] pages 17-21 and 24-26, respectively. ▀

Jeffrey Goldstein is a sole practitioner in Pelham, NY concentrating in Elder Law. He can be reached at (914) 738-2692. Judy Brownstein is Of Counsel to Bleakley Platt & Schmidt, LLP in White Plains, NY concentrating in Trusts & Estates Law. She can be reached at (914) 287-6162.



HUDSON VALLEY BANK

Total Commitment to Our Customers



Attorneys Can Expect More From Hudson Valley Bank

Services Designed by Attorneys for Attorneys

Attorney Operating Accounts • Streamlined ATA & IOLA Accounts
Late Day Wires • Deposit Pick up • Partner & Firm Lines of Credit
Exceptional Personal Service & Attention

Joseph Ruhl Senior Vice President	Larry McElroen Vice President
Sean Henderson Assistant Vice President	Anthony Forgione Assistant Vice President

399 Knollwood Road, Suite 113
White Plains, NY 10603
(914) 922-9428
or visit at www.hudsonvalleybank.com

Find out why over 750 law firms bank with Hudson Valley

Hudson Valley Bank is an independently owned local bank with more than \$2 billion in assets, serving the metropolitan area with branches located in Westchester, Rockland, the Bronx, Manhattan Queens and Fairfield County, CT.

Member FDIC EQUAL HOUSING LENDER

▶ Westchester Women's Bar Committee Activities

Wills, Trusts & Estates and Lawyering and Parenting

The Trusts and Estates Committee is pleased to present a 1 hour CLE program on "529 College Savings Accounts: Planning & Administration Pitfalls" presented by Ann McNulty and co-sponsored by the Lawyering & Parenting Committee. The program will take place on Tuesday, March 24, 12:30-2:00 p.m. at the offices of Bleakley, Platt & Schmitt, One North Lexington Avenue, White Plains. Program is a brown bag lunch; however Bleakley, Platt & Schmitt generously will be providing beverages and desserts. Cost will be \$15 to cover the CLE costs. Space is limited to 25 attendees. Please contact Heather Russo at hrusso@bpslaw.com or 914-287-6166 to reserve a place. ▶

Practice Management

On Thursday, May 14, from 5:30-8:00 p.m., the Practice Management Committee will present *Show Me the Money: How to Increase Revenues and Cut Expenses in Your Law Practice*. Speakers will include Carol Schiro Greenwald of Greenwald Consulting discussing exactly how to go about determining what to charge in an alternative fee arrangement; Andrea Prigot of Amicus Consulting addressing how to mine your practice management software for the financial data you need to make wise business decisions; and Craig Stokum of Capital Payments LLC answering all of your questions about improving your cash flow by accepting credit card payments for legal fees. We anticipate offering 2 CLE credits for this program. ▶

Nominations

Below is the slate of officers chosen by the Nominations Committee for the 2009/2010 term. A vote on the slate will take place at the April General Membership Meeting:

President Deborah A. Scalise
Vice President Lonya A. Gilbert
Vice President Julie S. Kattan
Vice President Beth A. Willensky
Treasurer Dolores Gebhardt
Recording Secretary Donna E. Frosco
Corresponding Secretary Lisa M. Bluestein

Local Directors Amy E. Gewirtz, Erin N. Guven
Loren I. Glassman, Hon. Lisa Margaret Smith
Audrey E. Stone

WBASNY Directors Dina Aversano, Joelle M. Burton
Lucia Chiocchio, Julie A. Cvek, Shari R. Gordon
Annette G. Hasapidis, Patricia A. LaPorta
Adrienne J. Orbach, Jill C. Owens, Susan Mills Richmond

Appellate Practice

On March 26, 2009 from 5:30-8:30, the Appellate Practice Committee will be sponsoring a program entitled: "Beyond the Rules: What you should know about Appellate Litigation." Speakers include the Hon. Sondra Miller and the Hon. Robert Spolzino. The meeting will take place at the Judicial Institute in White Plains located within Pace Law School at 78 North Broadway. Cost is \$35.00 pp. RSVP to Annette Hasapidis at (914) 533-3049 or ahasapidis@appellatelaw.biz ▶

Divorce Law and Domestic Violence/Child Protective Services Issues

Wednesday, March 11, 6:00-9:00PM

Pace Law School, 78 North Broadway, White Plains, NY

*Faculty: Tamara A. Mitchel, Esq., Partner, Berman, Bavero, Fruccho & Gouz, White Plains;
Laurence J. Braunstein, Esq., Partner, Braunstein & Zuckerman, White Plains*

The second part of this two-part program will discuss how to represent domestic violence victims with minor children in matrimonial actions. Topics will include custody (including impact of orders of protection, supervised visitation, forensic evaluations, constructing safe visitation, "alienation"/manipulation of children by the abuser and accusations of same against the victim); child support (including advance preparation before instituting support proceedings), and Child Protective Services/child abuse issues (including charges of neglect against domestic violence victims for failure to protect children, expunging Child Protective Services charges, impact of "unfounded" allegations of child abuse made by domestic violence victims and the recent amendment to the Domestic Relations Law, import/impact and how to address allegations of child abuse by abuser against domestic violence victim).

Collaborative Event Cosponsored by the Pace University Law School, Pace Women's Justice Center, The Ninth Judicial District Committee to Promote Gender Fairness in the Courts and the Westchester Women's Bar Association.

Tribute Giving: A Win-Win for Members and the Westchester Women's Bar Association Foundation

"I send them for birthdays and anniversaries."

"I sent one last week when one of my friends had a granddaughter."

"I send them for promotions or to note professional awards."

These are just a few of the ways that our members and friends report using the Gift Card Program to celebrate, honor, or memorialize friends and colleagues by making gifts in their name. It's a total win-win: acknowledgement for the recipient; no shopping for the sender; and most of all, support for a wonderful organization.

The Westchester Women's Bar Association Foundation is a 501(c)(3) organization founded to be the charitable affiliate of the Westchester Women's Bar Association. It was established to foster a better understanding of the law, the legal profession, and the role of women in society and the legal profession; to promote the fair and equal treatment of all people in society – including in the workplace, schools and the courts; and to eliminate gender bias.

Using Gift Card to Promote Relationships, Both Personal and Professional

From tributes marking an important occasion to memorials that perpetuate the legacy of someone who has passed away, these cards show that you care. And they show that you care for the community too – each gift supports women's continuing and full participation in the profession.

Gifts in Celebration and Honor

A Gift in Celebration and Honor is a unique opportunity to let family members, friends, or colleagues know that you are thinking of them. These gifts are often made to mark an important event like the birth of a child or grandchild, a wedding, anniversary, graduation, retirement, holiday, or another memorable occasion. It can also acknowledge the work of a lawyer who deserves extra recognition for his or her commitment and dedication.

Gifts in Memory

A Gift in Memory is a very special way for family and friends to express their sympathy while helping the Foundation. Many members choose to make these gifts in lieu of flowers. This acknowledgement is an especially thoughtful expression of sympathy for a colleague or friend.

Purchasing Cards

The easiest way to use Gift Cards is to purchase them online. Keep a few around your desk, and use them when the occasion arises. They can be purchased via Paypal for \$25 each or five for \$100 at <http://www.wwbany.org>. Look at the top of the screen for "Foundation" then choose "Donate/Purchase Cards." Cards can also be purchased from the Women's Bar Foundation, Treasurer, Kathy Rosenthal, 45 Knollwood Road, Elmsford, NY 10523, (914) 347-1292, Kathy@RoseMarkLaw.com. ▶

▶ New Directions Kicks off Third Term

Pace Law School's New Directions program kicked off its third term during Boot Camp Week from January 26-30, 2009. Led by WWBA member Amy Gewirtz and co-sponsored by the WWBA, New Directions is one of only three law school programs in the country that support and train attorneys who have taken time away from traditional legal practice, with a goal of integrating them back into the legal profession. ▶



Dawn Arnold and Christina Romano



Susan Meaney, Gabriella Kiniry, Stefanie Shabman and Karen Berger



Amy Gewirtz and Kathy Hecht

An Interview with Hon. Janet Difiore

Susan L. Pollet

Archive and Historian Chair

Counsel and Director of the New York State Parent Education and Awareness Program

Q: Your devotion to the WWBA has been evident throughout the years—what drew you to become active in the organization, and how have you contributed to it?

A: Of course, the quality and the caliber of this Bar’s membership is a draw for all of us. In addition, the mission of the Bar to promote competence and integrity in the legal profession at a time when we are seeing increased discussion in society about integrity and accountability also attracted me to the Women’s Bar. I have been particularly pleased with my association with Deb Scalise and the work that is being done through the Grievance/Ethics Committee.

Q: You became a County Court Judge (and also served in the Family Court as a Judge), then a Supervising Judge, then was elected and sat as a Supreme Court Justice and now a D.A.— all in about a ten year period. How did you achieve your meteoric rise, and what advice can you give to other women seeking to break the ‘glass ceilings’ in their respective organizations?

A: I am often asked about the positions I have held and the way in which my career has unfolded – and my feeling is that there are as many paths to a successful career as there are individuals. But I do believe that when you “keep your eye on the ball” and you honor your responsibilities, whatever they may be, without allowing yourself

to be distracted by outside influences or agendas, and you work earnestly at your job – your efforts may be recognized and, ultimately, rewarded with even more responsibility. Also, the “meteoric rise,” as you call it, took place over a period of 25 years.

Q. You have three lovely children and a supportive husband—can you tell us a little about them?

A: I have a wonderful family and I say, without hesitation, my family is my number one source of strength, happiness and pride! Every woman who balances family and work outside of their home knows and understands the importance of a supportive spouse. Men have benefited from that for centuries. What has changed is that women, now, can benefit too. My husband has been a phenomenal source of support for both me and, as important, for our three children—a daughter in her last year at Fordham Law, a son who recently graduated from Yale and our “baby,” a sophomore at Fairfield University.

Q: How did your mother’s sage wisdom help you to achieve success in all aspects of your life?

A: I had a phenomenal mother and father. I was raised in a very close Italian-American family in the City of Mt. Vernon. My parents’ personality traits, integrity, and sense of right and wrong, came from their parents and from their supportive families. My mom and dad taught me, through their everyday actions, about the importance of commitment to family, hard work, integrity and kindness to others. I could not have scripted a more loving, fun or wonderful upbringing. And I try hard to model that same approach for my children.

Q: What do you most want people to know



Hon. Janet Difiore

about what you are trying to achieve as the D.A. of this County?

A: I want the people of Westchester County to understand that the mission we serve in the prosecutor’s office is one of dedication and devotion to serving justice – operating at all times above the political fray and without regard to outside agendas or influence. My job as the District Attorney is not about winning all cases; my job is about working toward the ideal of a fair and accurate criminal justice system that serves everyone in our community. I want people to know that their D.A., and my entire office, is working hard to hold those people who commit crimes in our county appropriately accountable for their actions and, as important, that we are working hard to find ways to prevent crimes from being committed and prevent people from becoming the victims of crime.

Q: What do you hope to accomplish in the future in your career and in your ‘other’ life?

A: My work as District Attorney provides me with all the challenges any one person can hope to take on. I am very fortunate to have the job I have always wanted – and doing the best job I can for the people of Westchester County as their District Attorney, is my number one priority. ▀

“[W]hen you “keep your eye on the ball” and you honor your responsibilities, whatever they may be, without allowing yourself to be distracted by outside influences or agendas, and you work earnestly at your job – your efforts may be recognized, and, ultimately, rewarded . . . ”

▶ March Practice Management Tip

Follow-Up Phone Call Packs a Powerful Marketing Wallop

One of marketing's primary purposes is to show prospects and clients the positive ways you differ from other lawyers. One of the most powerful marketing stories I ever heard came from my dry cleaner.

I walked in to pick up my cleaning. John (the owner) leaned over the counter and asked what I did for a living. I told him that I was in marketing and he started to tell me about an experience he had 15 years earlier.

His wife had had surgery and her surgeon called to check on her on a Saturday.

That's all there was to the story. Frankly, it doesn't seem like a big deal.

But it was such a significant event to John that he recalled it 15 years later.

By itself, the follow-up phone call was impressive. What made it even more special was the fact that the doctor called on Saturday. John was amazed that the doctor would take time away from his weekend to call.

I encourage you to do the same: a week after you close a file, call your client and ask how the client is doing. Ask if the client is pleased with the way the case resolved.

Or, ask if there's anything more you can do to help.

Any law office can send a client survey or report card. They are fairly routine and secretarial in nature.

But when you pick up the phone and take time from your schedule to call your client, that's significant! That's what your client remembers. And that's another reason your client will return in the future-and send referrals. ▶

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 and ask for his free e-mail packet of articles.

New Local Administrator for the Westchester P.E.A.C.E. Program

Susan L. Pollet

Counsel and Director of the New York State Parent Education and Awareness Program

The New York State Parent Education and Awareness Program ("PEAP") of the New York State Office of Court Administration is an initiative of former Chief Judge Judith S. Kaye, and WWBA member Susan L. Pollet, Esq. is the Counsel and Director. Parent education is offered by certified providers to help separating or divorcing parents better understand the effects of their breakup on their children and to give them information and ideas about how to make the new family situation easier and more livable for themselves and their children. There are currently 50 certified providers with a presence in all 62 Counties in New York State. Please check the website at www.nycourts.gov/parented for a list of certified providers. The Programs are certified through PEAP, and can then accept orders or referrals from the Family Courts or the Supreme Court matrimonial parts. Parents can self refer and agencies can refer them too.

One of the certified providers, the Westchester County P.E.A.C.E. program now has a new local administrator, Katherine Mueller. She can be reached at 914-824-5051, kmueller@courts.state.ny.us Please tell your clients about this valuable program. It can make all the difference for the adjustment and well being of their children. ▶

Supreme Court Westchester County Contested Matrimonial Part and the Westchester Women's Bar Association and the WCBA Family Law Section Present:

RESOURCES FOR RESOLVING FAMILY CONFLICTS:

A PANEL DISCUSSION

Welcome: Hon. Francis A. Nicolai
Admin. Judge 9th Judicial District

Introductions: Hon. Anthony A. Scarpino
Supervising Justice of the Westchester County
Matrimonial Part

Hon. Sondra Miller
Director, OCA Office of Matrimonial & Family Law
Study & Reform

Speakers: Raymond Griffin, CASAC (Drug & Alcohol Evaluations)

Katherine Mueller, MA (OCA, Case Analyst)

Marilyn Kotcher, LCSW (Director of Children of Divorce
Program, NY Pres Hosp, Universities of Columbia &
Cornell, Westchester Div.)

Bertram Pepper, M.D. (Presenter, PEACE Program)

DATE: April 2, 2009, 12:30 p.m. – 2:00 p.m.

PLACE: Westchester County Courthouse, 9th Floor Conf. Room

EEE: No charge. Brown bag lunch.

Space is limited! Please R.S.V.P. by March 27, 2009 to
alaynekatz@optonline.net

▶ Chapter News and Announcements

Announcements & Notes on Members

- WWBA Member **Hon. Sandra Edlitz** officiated the wedding ceremony of her daughter Tracy Beth, to her new son-in-law, Mark Anthony Visceglia. The wedding took place on December 28 at Beckwith Point in New Rochelle.
- **Jody Fay, Esq.** was promoted to Senior Counsel and Managing Director of the Hudson Valley Region for Skyline Title, LLC.
- **Frances M. Pantaleo** has been elected Treasurer of the Elder Law Section of the New York State Bar Association. Frances is a member of Walsh & Amicucci in Purchase, New York. Her practice concentrates in the areas of Elder Law, Medicaid Planning, Trusts and Estates and estate planning for individuals with disabilities.
- The New Rochelle Chamber of Commerce will honor **Marianne L. Sussman, Esq.** as Government Leader of the Year at its Annual Dinner on April 2. Marianne, a Past President of WWBA, has served as a member of the New Rochelle City Council since 2001 and began her third four-year term last year. ▶

Classifieds

- Southern Westchester firm seeking suitemate. Class A building. Telephone and Internet access provided. \$1,200.00 per month. Contact lawsouthwest@gmail.com.
- 1 BR Apt. Harrison, walk to train. Pvt. Ent. 1st fl., H&H incl. fireplace; furnished option \$1,300/mo. Call Barbara Ryan (212) 593-5367
- Dynamic and rapidly growing litigation firm with offices across New York, New Jersey, Pennsylvania and Connecticut and a national practice seeks an attorney in its White Plains office. Candidate must have 3-8 years of complex litigation experience, products liability experience is preferred. This position offers a very competitive salary, bonuses, and a full benefits package. Send resume with salary history and requirements to Goldberg Segalla LLP located at 665 Main Street, Suite 400, Buffalo, NY 14203, attn: Heather Pudlewski, fax 716.566.5406, or e-mail resumes@goldbergsegalla.com.
- 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. ▶

WWBA Celebrates the Holiday Season

The WWBA celebrated the holiday season at its annual holiday party held on December 10th at the White Plains Women's Club. The well-attended gathering included good food, good friends, and a lot of holiday spirit!!! Many thanks to our sponsors listed below who helped make the party possible. Happy Holidays! ▶

EISMAN, ZUCKER, KLEIN & RUTTENBERG, LLP

HOUSMAN & BLOCH, LLP

KEANE & BEANE, PC

LIBERTY TITLE AGENCY, LLC

McCARTHY FINGAR LLP

ROSENTHAL & MARKOWITZ, LLP

▶ 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. ◆

▶ Westchester Women's Bar Association New Members

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

TO PROTECT THE PRIVACY OF OUR MEMBERS,
THIS INFORMATION IS AVAILABLE TO MEMBERS OF THE WWBA ONLY.

▶ WWBA Schedule of Upcoming Events

COMMITTEE	DATE/TIME	PLACE	TOPIC	RSVP
WWBA Board Meeting	3/4/09 Supper & Meeting 5:30-7:30 pm	BNY Mellon 701 Westchester Ave White Plains, NY	Board Meeting	Dawn Arnold (914) 381-7400 or president@wwbany.org
Pace University Law School, Pace Women's Justice Center, The Ninth Judicial District Committee to Promote Gender Fairness in the Courts and the Westchester Women's Bar Association.	3/11/09 6:00-9:00 pm Cost: General fee \$125.00, Alumni \$100.00. Moderate Means Panel members free in exchange for taking 2 cases over a 2 yr. period	Pace Law School, 78 North Broadway, White Plains, NY in the Moot Court Room.	Divorce Law and Domestic Violence/Child Protective Services Issues	Linda Maccarrone (914) 422-4062 by March 4, 2009
The Trusts and Estates Committee and the Lawyering & Parenting Committee	3/24/09 12:30-2:00 p.m. Brown Bag Lunch \$15.00 pp to cover CLE Costs	Offices of Bleakley, Platt & Schmitt, One North Lexington Ave., White Plains, NY	"529 College Savings Accounts: Planning and Administration Pitfalls"	Heather Russo at (914) 287-6166 or h Russo@bpslaw.com Space limited to 25, so R.S.V.P. immediately!
Families, Children & the Courts Committee and Matrimonial Committee	3/25/09 12:30-2:30 p.m. Brown Bag Lunch No Charge but \$20.00 suggested donation to the WWBA Foundation	Westchester County Courthouse 9 th Floor Conference Rm.	"Examination Of Forensic Experts, An Evidentiary Approach"	Shari R. Gordon Esq. (914) 962-2722 or Shari@Srgesq.com No later than March 15 th . Space is limited.
Appellate Practice Committee	3/26/09 5:30-8:30	Judicial Institute at Pace Law School 78 North Broadway White Plains, NY	"Beyond the Rules: What You Should Know About Appellate Litigation"	Annette Hasapidis (914) 533-3049 ahasapidis@appellatelaw.biz
WWBA General Membership/Board Meeting	4/1/09 Supper & Meeting 5:30-7:30 pm	TBD	"A View From the Federal Bench: The Judges of the White Plains Federal Courthouse Speak"	Donna Frosco (914) 946-4777 or info@kblaw.com
Supreme Court Westchester County Contested Matrimonial Part, the WWBA and the WCBA Family Law Section	4/2/09 12:30-2:00pm	Westchester County Courthouse, 9 th Fl Conference Room	"Resources for Resolving Family Conflicts: A Panel Discussion"	Alayne Katz at alaynekatz@optonline.net
ADR and Matrimonial Committees	4/28/09 5:30-8:00	BNY Mellon 701 Westchester Ave White Plains, NY	"What's New in ADR"	Linda Lovisa (914) 328-0160 llovisa@kelaw.com
WWBA Foundation Fundraiser	4/29/09 5:30-8:00 pm \$250.00 pp	Judge Miller's Home (Address provided upon purchase of ticket)	"An Evening of Culinary Delight and Demonstration"	Jody Fay (914) 428-4787