

CAPITAL DISTRICT WOMEN'S BAR ASSOCIATION

October 2008 Newsletter



PRESIDENT'S MESSAGE

By Michelle Haskin, Esq.

"The fastest way to change society is to mobilize the women of the world." Charles Malik, former president, United Nations General Assembly.

Did you know that in every election since 1980, U.S. women have voted in higher rates than men? Yet we still account for less than 15% of the U.S. Senate, top Fortune 500 jobs, and equity partners at major law firms. We will not see a woman elected president in the next four years, but we sure did come close.

Whether it is a woman Vice President or an African American President, we will see history being made. Since Sarah Palin's nomination, it has been fascinating to see women banding together – whether to support her or oppose her. Women have very strong feelings and are mobilized again.

Women in leadership is a focus of our Association this year. Toward that mission, we made history last month when we held an event, many years in the making, designed to unite women in the Capital District from many fields. Marie Wilson, founder and president of the White House Project, co-creator of Take our Daughters and Sons to Work Day, and author of *Closing the Leadership Gap: Why Women Can and Must Help Run the World*, spoke at our September 12 event, which was well attended and well received.

Many attendees asked about convening future networking events with other women organizations. Ms. Wilson encouraged us, stating that "Women need to join together to change this country." She speaks eloquently of the need for women to support each other and encourages us to "invite a woman to run."

So send an E-card to a woman you respect and tell her that you think she is a leader. Log onto www.thewhitehouseproject.org for ideas about how to help women win. Maybe the woman you encourage will be inspired to run for the school board or local office, and maybe one of these women will become the next Governor or our first President.



There is a need for women to join together not only on a national level, but also on a local level – whether it is in politics, at your law firm or bar association or at your local PTA. I hope you started by attending our Annual Kickoff Reception on October 2 at the Envy Lounge – a great way to meet other women and become involved in committees. At the committee level, we are doing great and important work.

In October, we are having a Working Mother's luncheon, kicking off our updated Family Leave Survey, sponsoring a mobile mammography clinic, participating in the Susan G. Komen walk for a cure, cosponsoring the Domestic Violence Lawyer's lunch, launching our chamber chats series, and sponsoring a career opportunities program at the law school. Also, on October 23, the Legal Project is hosting its annual fundraiser. You can make a difference by becoming involved. Now is the time to join or renew your membership in CDWBA.

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The Legal Project

Pro Bono Corner October 2008

Lisa A. Frisch, Executive Director

Small Business Legal Connection

You may be aware of our program that specializes in providing legal information to small business owners, with a special emphasis on women, minority, and low-income individuals in the Capital Region (or should I say Tech Valley?). The program will be featured in a microenterprise blog on the Times Union website. One of the bloggers is Lissa D'Aquinno, who, you may recall, was the founder and prior owner of The Chocolate Gecko. We received permission to reprint the blog in this newsletter:

What is the free legal clinic for micro-entrepreneurs? The Small Business Legal Network provides free half-hour one-on-one consultations with an attorney who specializes in business law, by appointment only, by calling (518) 435-1770.

When is it offered? The clinic is held quarterly, in the evenings at The Legal Project offices. The next clinic is December 4.

Who can attend? Prospective or current small business owners.

What types of issues are address? The most common issues include choosing a business entity structure, intellectual property rights, and contracts.

How long has the Legal Project been doing this? The clinic began in the spring of 2004.

What was the impetus for this clinic? Clients of the Capital District Community Loan Fund and other microenterprise programs in the region had a need for specific legal advice relating to small business matters. Our regular monthly legal clinic did not provide this

frequently requested service, so we decided to create a program that would better meet the needs of the community.

How many entrepreneurs have been served since its inception? 126 to date.

How many entrepreneurs are served each clinic? It varies from a few to 15.

Do you have trouble recruiting attorneys for the clinic? Not at all. Actually, business attorneys are happy to have an opportunity to give back to the community and assist small business owners. Often they feel like they have a limited opportunity to do pro bono and share their expertise.

What has the response been from the entrepreneurs? The clients appreciate and enjoy access to an attorney who can simplify matters for them and remove the confusion and intimidation that often comes with entrepreneurship.

What has the response been from the attorneys? The attorneys are happy to help and provide this service. They report great satisfaction in helping others and enjoy having a way to promote small business.

Why is this an important offering to micro-entrepreneurs? It can be overwhelming and confusing when starting from scratch: many decisions to be made based on too much information, trying to determine what information is reliable, not knowing what your legal options and responsibilities are, etc. Consultation with an attorney helps to simplify and streamline all of that, which has the effect of providing relief for the entrepreneur, as well as a renewed burst of creative energy to be channeled into the business.

Anything else you would like to add? The Legal Project has partnered with the Capital District Community Loan Fund in providing these clinics to the public. Our contact at the CDCLF is Paul Stewart, 436-8580, paul@cdclf.org. Other microenterprise programs, such as the Albany-Colonie Chamber

of Commerce and the Albany Center for Economic Success (ACES), also provide referrals to the clinic. Gina Marie Cannistraro is the coordinator of this program, and the attorneys who have volunteered are:

Arnold Azarow	Catherine Hedgeman
Jennifer Corona	James Marotta
Nancy DeLain	Arkely Mastro
Jay Gartlan	Amy Monk
Chip Gordon	Ron Orlando
Janet Kaplan	

We could use the assistance of additional attorneys for this project, so if you have expertise in any of the small business legal areas, please contact Gina Marie at gcannistraro@legalproject.org.

Domestic Violence Awareness Month

In addition to being Breast Cancer Awareness Month, October is the month set aside to pay particular attention to domestic violence issues in our communities. Since our domestic violence program is the cornerstone of The Legal Project, we hold our Annual Pro Bono Reception during this month. The numbers of victims of abuse are rising steadily, and we are in great need of additional volunteers to help with these cases in Family Court.

Our next training, "Representing Victims of Domestic Violence in Family Court" (formerly Family Offense Basics) is scheduled for December 5. Attorneys who volunteer to take at least two cases during the year, one for The Legal Project and one for Legal Aid, will get the training and CLE credit for free. Please contact Kristi at Legal Aid for more information on that training at KCinelli@Lasnny.org or Susan Pattenauade at spattenauade@legalproject.org.

"Fair Access to Family Court" Bill Allows Intimate Partners Get Orders of Protection

This law ensures that all victims of intimate partner violence can seek an order of protection in Family Court. Unmarried victims, such as those living together, dating, or in same-sex relationships, will now be able to obtain potentially life-saving civil orders of

protection. The law has been in effect since July, and the Unified Court System has updated its civil order of protection petition. A copy of the bill, press release, and new civil family offense petition can be found at the website of the State Office for the Prevention of Domestic Violence at www.opdv.state.ny.us.

Thanks for volunteering in August! Domestic Violence Legal Connection

Doug Broda
Cheryl Hogan

Legally Speaking

David Levy

Bankruptcy

Richard Croak
Nathan Goldberg
Alan LeCours
Kathy McCullough-Day
Richard Weiskopf

AHAA

Heather Behnke
Arthur Casey
Samantha Miller
Michael Mullaney

Mechanicville

Anne Reynolds Copps

Summer Clinic at The Legal Project

Coordinator: Jessica Lennon
Carla Brogoch
Gayle Hartz
Leyla Kiosse
Melissa Latino
David Levy

Wills and Estates

The Law Firm of Lavelle & Finn

Price Chopper Shoppers: We all are trying to use less plastic bags when shopping, but if you do use them, check out the bags during two weeks in October when they will have the domestic violence hotline numbers printed on them as a service during this domestic violence awareness month! Thanks to the Albany County Coalition Against Abuse for helping to make that happen.

MEDIATION

By Steven Prudente, Esq.

Practicing matrimonial law suits me. You need to be part lawyer, part psychologist, part social worker, and a good listener. I have those skills. For the last 20 of my 30 years as an attorney, I have enjoyed concentrating my practice in family law.

About five years ago, doubts started to creep in. I began having concerns that the traditional litigation pathway was not producing the best result. I define "best result" as one which has addressed the best interest of the children, has left each spouse a chance to maintain or acquire financial ability, does not bankrupt the marital assets in litigation fees, and leaves the spouses sufficiently satisfied such that they would honor the final agreement.

I have been an active participant in the American Bar Association Family Law Section for about eight years, and I regularly attend their National Conferences. It is enlightening and fun to talk to matrimonial practitioners from other parts of the country. At these meetings, I learned that the concerns I was experiencing were not uncommon.

At a colleague's suggestion, I attended a few sessions on Alternative Dispute Resolution (ADR). I found the speakers and participants energized with their new paradigm. They were not complaining about their clients. They were not expressing frustration with the process.

I read study after study that showed that the agreements reached through ADR were more likely to be followed long into the future. The studies I read told of satisfied clients who emerge from the process without having spent a small fortune in legal fees and court costs and with results tailored to the family's specific needs. I was hooked.

Years earlier I had taken a four-day course in divorce mediation. For whatever reason, I never implemented the new skills I had learned. Well now I was ready. Last year, I made a commitment to refresh those skills. I completed a weeklong 40-hour mediation certification program. This time, I jumped

fast into the mediation waters. I telephoned my colleagues to let them know that I was adding mediation to my practice. I began advertising in the monthly newsletters for the local bar associations. The response I have received has been heartening. Since the beginning of the calendar year, I have taken on approximately ten mediation matters, nine of which have been referrals from my fellow matrimonial practitioners. I am pleased with the results. Four have concluded in full marital settlement agreements, four are still in process, while only two have drifted back to the litigation pathway.



The issues of separation and divorce are well known to me. My experience in the litigation wars and the negotiation process provides an invaluable perspective, which is helpful to those who choose mediation. I can guide their expectations so that they are realistic about what a court could do if they place an unresolved issue in contest.

My experience allows me to craft a variety of options so clients can reach common ground. It also allows me to offer an unbiased opinion on the viability of solutions they are considering. Most people want to get through the mediation process as quickly as possible.

However, I let them know that it is important that they take the time to reach an agreement so that neither party will regret the results in the future. Although I can provide information on the Domestic Relations Law, the Family Court Act and the court process, the primary reference points are the parties' personal priorities and their sense of fairness.

Most of my day-to-day law practice still follows the traditional matrimonial litigation path. I hope to transition my practice to more and more mediation work as time goes on. The mediation work is less stressful and more personally satisfying. If any reader would like to discuss my experience in more detail or if you have questions I can answer, please feel free to contact me: prudente@moscllp.com, (518) 465-3553 ext. 203.

MEMBER NEWS

Members Chair Several WBASNY Committees

CDWBA members will chair many WBASNY committees: Jessie Aitcheson (Awards), Linda Clark (Judicial Screening Task Force and Working Parents), Cynthia Platt (Chapters – Membership), Margaret Surowka Rossi (Legislative), Camille Siano Enders (Equal Access to Justice), Joann Sternheimer (Bankruptcy/Commercial/Banking). Jessie and Camille will serve on WBASNY's Permanent Convention Committee.

Members Present at CLEs

Diane Davis discussed The Effect of Bankruptcy on Foreclosure and Repossession in New York at a Lorman CLE on September 19. On the same date, Pilar Cano spoke about debt collection and consumer rights at a Legal Aid training program called "Java and Justice," which seeks to match attorneys with small groups of people in the community to discuss legal issues over coffee. Jennifer Corcoran and Julie Friedman took part in the Albany County Bar CLE on Mental Hygiene Law Article 81 on September 18. Elizabeth Devane spoke about Navigating the Sexual Offender Reform Act for the Albany County Bar on September 12.

Judge Kretser Vice-President

Albany City Criminal Court Judge Rachel Kretser has been elected Second Vice President of the State Association of City Court Judges and will serve a two-year term.

Welcome New Members

Nicole Helmer, *Tully Rinckey, PLLC*
Kelly Meilstrup, *Redlich Law Firm*
Stacy A. Smith, *Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C.*

Thanks to Sustaining Members Renewing Since August 2008

Pamela P. Baldasaro
Hon. William Carter
Peter V. Coffey
Susan S. Dautel
Hon. Christian F. Hummel
Kristen King
Nancy Hershey Lord
Cheryl A. Mugno
Miriam Netter
Camille Siano Enders
Lori Sievers
Theresa Skaine
Justine Spada
Hon. Madonna Stahl
Joann Sternheimer
Susan L. Taylor

Member Seeks Position

A CDWBA member, new to the area, seeks employment. Admitted to practice in New York, New Jersey, and D.C. Background in personal injury and family law. Experience in both private practice and as in-house counsel for insurance companies. Call Heather M. Gray at (518) 424-3439.

CDWBA Newsletter

The Capital District Women's Bar Association Newsletter is published 10 times a year.

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Fiorino Takes New Position

Alicia Fiorino has joined the State Dormitory Authority as confidential legal assistant, 515 Broadway, Albany. Tel.: (518) 257-3617.

Congratulations Times Two!

September 10 was a special day for Cara Brousseau and Jennifer Corona. That afternoon, Cara gave birth to Megan, and Jennifer gave birth to Meara Emalie Sweet.

Caregivers Committee Created

Formation of an ad hoc Committee for Working Professional and Caregivers has been authorized by the CDWBA Board. The objective of the new committee will be to identify challenges members face in balancing responsibilities as caregivers with demanding family and professional lives.

The Committee invites interested CDWBA members to participate in an organizational meeting on October 10 from 12:30 to 1:30 p.m. at the law offices of Hodgson Russ, 677 Broadway, Suite 301, Albany. This brown bag lunch meeting will allow participants to identify how CDWBA can support its members who are caregivers to elderly parents, family members, and friends who are ill, disabled or undergoing a medical crisis. Contact Noreen Grimmick at ngrimmic@hodgsonruss.com or Diane Davis at d2esq@aol.com to attend or for more information. Your experiences and insights are most welcome.

FALL EVENTS

Long-Range Planning Committee Has Focus Groups

The Committee on Long-Range Planning will hold three focus “brown bag lunch” groups with interested members from 12:15 to 1:15 p.m. on October 3, November 5, and December 3 at The Dunn Law Firm, PLLC, 99 Pine St., Suite 210, Albany.

Each meeting will begin with a short presentation and will give participants a chance to offer ideas that will lay the groundwork for a five-year strategic plan.

Domestic Violence Lunch

The CDWBA Domestic Violence Committee and The Legal Project are co-sponsoring a Domestic Violence Lawyers Lunch on October 7 at noon at The Legal Project, 6 Executive Park Drive, Albany (Entrance B). Please bring your lunch. Beverages and a light dessert will be provided.

If you handle domestic violence cases, please consider joining us at this informal gathering to network, strategize, share information, socialize, and discuss recent changes in the law. Please RSVP by October 6 by contacting Susan Pattenaude at (518) 435-1770 or spattenaude@legalproject.org.

Mobile Mammogram: Oct. 14

A mobile mammography event will be held on October 14 from 10 a.m. to 2 p.m. at the Albany County Courthouse. The Breast Cancer Awareness Committee is hosting the event in connection with Bellevue Women’s Care Center in recognition of Breast Cancer Awareness Month. To register, contact Yvonne Marciano: (518) 641-0507 or yem@westfirmlaw.com.

Services are covered by insurance as long as the insured complies with plan requirements and no referral or pre-approval from a physician is required. Women 40 or older may qualify for a free mammogram through the State Healthy Women Partnership.

E-Filing Explored Oct. 16

A free, two-credit CLE on E-Filing in New York will be offered October 16 and December 18 from 10 a.m. to noon at the Court of Claims, Empire State Plaza, Courtroom No. 4. To register, please e-mail athompso@courts.state.ny.us.

Making Strides Against Breast Cancer: Oct. 19

This event takes place at the Washington Park Parade Grounds. Registration is at 10 a.m. and the walk is at noon.

Legal Project Reception: Oct. 23

Please see the insert in this issue.

Yoga at the Y: Oct. 30

CDWBA will hold a yoga class at the Bethlehem Y on October 30 from 6 to 7 p.m. To RSVP, contact Susanne Dolin: dolins@verizon.net or (518) 474-9833.

Reminder: Your Dues are Due

If you have not paid your dues yet, please do so as soon as possible. The dues for the June 2008 to May 2009 membership year were due August 15. Members who renewed by September 30 will be listed in the membership directory.

Advertise in Our Directory

CDWBA is soliciting advertisers for the 2008-2009 directory, to be published in November. Ads and payment must be received by October 15. The cost of ads is as follows: half page, \$90; full page, \$150; inside front or back cover, \$250. For further information or to place an ad, please contact Ava Charne at (518) 438-5511.

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