



WWBA news

Westchester Women's Bar Association

October 2008

www.wwbany.org

GENERAL MEMBERSHIP MEETING

Sex and the Billable Hour

The membership gathered on September 17th for an exciting program, *Sex and the Billable Hour: Identifying and Preventing Sexual Harassment in the Law Firm Workplace*. Members learned how to run their offices to prevent harassment, what to do if you are the victim of sexual harassment or bullying, and the legal consequences outlined in leading Supreme Court and Federal Circuit case law. Thank you to speakers and WWBA members **Susan Corcoran** of Jackson Lewis, LLP, and **Paula Johnson Kelly** of The Law Offices of Robert David Goodstein, Esq. Also thanks to speaker **Donna Scimia** of Scimia Consulting Group, who provides training to companies on how to identify and address workplace conflict and develop responsive leaders. Finally, many thanks to **BNY Mellon Wealth Management** for sponsoring the venue. ▀



Joelle Burton and Dwight Joyce



Erica Feynman Aisner and Julie Cvek



Donna Scimia, Lisa McWhirter, Laura Vanderbrook



Donna Scimia, Paula Johnson Kelly and Susan Corcoran

► PRESIDENT'S MESSAGE

On November 5th there will be a special opportunity for the membership to meet the **Past Presidents** of the WWBA at a wine reception, then stay to see what goes on at our Board Meeting. Each month, the Board gets together to discuss upcoming projects, vote on sponsorships, share information, and plan the future of the WWBA. By attending a Board meeting, you will learn what is going on at the heart of the organization and what opportunities exist for you to become more involved. I never grow tired of learning about the fascinating projects our committee chairs are working on for the benefit of the membership and the community. I hope you will consider coming to meet our fabulous Past Presidents, learn how the organization operates, find new opportunities to become involved, and make a few new friends. Please RSVP to president@wwbany.org.



As you can see on the WWBA calendar, our committees are working very hard to bring you a host of events this fall. I am especially proud of two premier events that are unprecedented in my years of experience. First is the **Women and the**

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► SAVE THE DATE

WWBA

Holiday Party

DECEMBER 10, 2008

5:30-8:00PM

The Women's Club
of White Plains

▶ WWBA Member Newsletter



OCTOBER 2008

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Westchester Women's
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of the State of New York

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▶ 2008-2009 WWBA Committee Chairs

STANDING COMMITTEES

By Laws	Laura Freeman, Sonia Lopez Gonzalez	Membership	Jody Fay
Corporate & Commercial	Jill C. Owens, Linda Liberatore	Networking	Meredith Coleman
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	Lisa M. Bluestein, Donna E. Froasco, Alicia Gaudio
Judicial Screening	Gail M. Boggio, Loren I. Glassman	Public Relations	Donna Froasco, 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	Lauren S. Morrissey, Lynn J. Maier	Immigration	Sonia Lopez Gonzalez, Manny Mercader
Annual Dinner	TBD	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 Gianni
Breast Cancer Awareness	Natanya L. Briendel, 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	Pro Bono	Erin Noelle Guven, Aileen Noonan
Domestic Violence	Beth Feder, Joy Joseph	Souvenir Journal	Lisa M. Bluestein
Education Law	Susan Mills Richmond, Aileen Noonan	Technology/Website	Donna Froasco
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 Zalanitis	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

"I never grow tired of learning about the fascinating projects our committee chairs are working on for the benefit of the membership and the community."

Law Conference. On October 24th, the WWBA and Pace Law School will host a half-day conference addressing issues affecting women attorneys and law students. There will be two panel discussions in the afternoon featuring amazing women giving invaluable advice on the successful advancement of your career, including the General Counsel of the Office of the Chief Medical Examiner of the City of New York, partners and counsel at large international law firms, the Chief Diversity Officer of AIG and the president of Career Women's Initiative. There also will be a cocktail networking hour and a dinner featuring Lisa Belkin, contributing writer to the New York Times and author of the "Opt-Out Revolution" which discusses the choices that women are making today - how more educated women may be choosing a different path, a non-linear career that makes them happy. Special thanks to Rachel Littman, WWBA Board member and Assistant Dean for Career Development at Pace Law School.

The second unique event that I am very excited about this fall is the **2008 Real Estate Expo**. On November 19th, WWBA members and local real estate agents will get together at the Crown Plaza at a half-day networking event with five separate 1-hour programs, each

pending approval for attorney CLE credit and realtor CRE credit. WWBA members Jody Fay and Dwight Joyce are hard at work planning the event. Liberty Title and Skyline Title have generously agreed to sponsor the entire event, so that participation is free. We expect the program to quickly fill to capacity, so if you are interested please RSVP immediately. Details are on the back page.

October is Domestic Violence Awareness Month. Please consider supporting the cause by attending one or all of the

events scheduled by our colleagues at Pace Women's Justice Center, My Sister's Place, and the Northern Westchester Shelter. RSVP information is on the back page of the newsletter.

Membership renewals are continuing to come in to Executive Director, Linda Surace. If you have not yet renewed for the 2008/2009 term, consider using the convenient on-line option at wwbany.org. ▶

~ Dawn

▶ 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.

ABA Formal Opinion 08-451 *Good News for U.S.-Based Independent Contract Lawyers and Hiring Attorneys*

Last month, the American Bar Association's Standing Committee on Ethics and Professional Responsibility released Formal Op. 08-451, entitled *Lawyer's Obligations When Outsourcing Legal and Nonlegal Support Services*.

The opinion should have a significant positive impact on the small, but growing, group of U.S.-based independent contract lawyers (i.e., U.S. lawyers who work as "freelancers" directly for other lawyers, without going through staffing agency intermediaries), and on the lawyers who hire U.S.-based freelancers.

Benefits of Using Contract Lawyers

The opinion begins by listing the many types of work that law firms can outsource, from purely ministerial tasks (such as photocopying) to projects requiring substantive legal knowledge (such as the preparation of a 50-state survey of the law on a particular issue). It segues into a discussion of the benefits of outsourcing, noting that *[o]utsourcing affords lawyers the ability to reduce their costs and often the costs to the client to the extent that the individuals or entities providing the outsourced services can do so at*

lower rates than the lawyer's own staff. In addition, the availability of lawyers and nonlawyers to perform discrete tasks may, in some circumstances, allow for the provision of labor-intensive legal services by lawyers who do not otherwise maintain the needed human resources on an on-going basis.

The opinion then gives a clear, ringing ethical endorsement to the use of contract lawyers: "There is nothing unethical about a lawyer outsourcing legal . . . services, provided the outsourcing lawyer renders legal services to the client with the 'legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation,' as required by [Model] Rule 1.1."

Ensuring Adequate Supervision and Confidentiality, and Avoiding Conflict

The opinion points out that the ethical responsibility of an outsourcing lawyer to make reasonable efforts to ensure that the contract lawyer conforms to the Rules of Profes-

sional Conduct is no different from the responsibility of a lawyer supervising the work of another attorney who is employed by the supervising lawyer's firm.

The opinion next identifies some areas of concern that outsourcing lawyers should address, including data security and, of course, the credentials of the individuals providing contract legal services. It raises additional issues relating to foreign lawyers, including whether the sys-

tem of legal education under which the lawyers were trained is comparable to that in the United States; whether the foreign lawyers are subject to a professional regulatory system that inculcates core values similar to those in the United States; the "legal landscape" of the nation to which the services are being outsourced (and, specifically, whether personal property, including documents, may be susceptible to seizure in judicial or administrative proceedings notwithstanding claims of client confidentiality); and whether the judicial system of the target country will provide prompt and effective remedies to avert prejudice to the client in the event of a dispute between the service provider and the outsourcing lawyer.

The ABA's flagging of these concerns is good news for independent U.S.-based contract lawyers. Outsourcing lawyers who

"The opinion . . . identifies some areas of concern that outsourcing lawyers should address, including data security and, of course, the credentials of the individuals providing contract legal services."

hire contract lawyers directly do not have to worry about the quality of a staffing agency's due diligence, since they have done their own due diligence. And hiring lawyers who are U.S.-trained and based avoids the issues that arise when hiring foreign lawyers.

The opinion touches on other ethical concerns that the ABA addressed in two earlier opinions on the same subject, ABA Formal Op.

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WESTCHESTER WOMEN'S BAR ASSOCIATION

cordially invites its Membership and Guests to a

***HOLIDAY
PARTY***

THE WOMAN'S CLUB OF WHITE PLAINS

305 Ridgeway • White Plains, New York

December 10, 2008 • 5:30PM – 8:00PM

VISIT OUR CRAFTS FAIR AND BOUTIQUE TO BE HELD DURING THE PARTY!

In lieu of a charge for attendance at this event, we ask that you consider making a tax deductible donation to the Westchester Women's Bar Association Foundation, Inc. Also, please bring a new, inexpensive and unwrapped gift to be donated to an underserved teenager. Thank you! Gift boxes will be located near the sign-in table to collect your contributions.

AN INTERVIEW WITH SUSAN TAXIN BAER ABOUT DON KLEIN, ESQ.

by Susan L. Pollet, Archive and Historian Chair,
Counsel and Director of the New York State Parent Education and
Awareness Program, O.C.A.
Special Thanks to Magdalen Gaynor, Esq.

Q.: Why did Don Klein, Esq. choose to be not only a member, but a devoted board member of the WWBA?

A: Don always struck me as a person who thoroughly enjoyed the law and wanted to share his love for the law with others who were similarly enthusiastic about the profession. Although active in numerous bar associations and always generous with his time and knowledge, Don recognized that through the WWBA and its many second career, new lawyers, he would also be helping women in particular advance in their career opportunities – not at all surprising when one heard Don speaks with pride about his wife, Barbara, and their daughter, Zoe (and, of course, their son, Jason, as well).

Q: With what activities was Don involved for the WWBA?

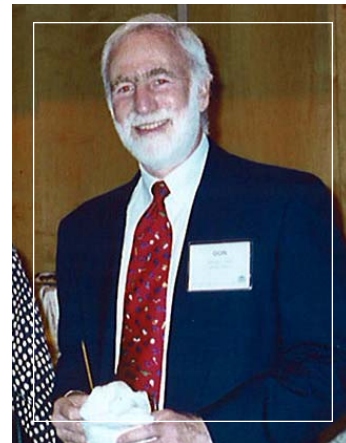
A: Don served on the Judicial Screening Committee for many years. Although I am not and never have been a litigator, I also served on that committee for a few years, and would enjoy discussing with Don his thought process in formulating questions as well as his reaction to some responses from the candidates. Don also served as

a co-chair of the Trusts and Estates Committee, ensuring that we had wonderful programs and excellent speakers at our meetings. In addition, Don served with me on the WWBA Foundation – initially in the formation process and, once we were granted foundation status, as a foundation board member. Don’s role was invaluable since he was also a director of a family foundation (the Ruth and Seymour Klein Foundation), the Neuberger Museum, and other charitable entities. He had a good sense of the extent to which funds need to be raised before they were spent, but at the same time the importance of using sufficient funds for the foundation’s purposes to ensure visibility, thereby encouraging contributions from others. To this end, Don always made generous donations from his family foundation, which, in turn, allowed us to give our first few scholarships. Don, however, never wanted credit for his donations, always requesting that they be noted as anonymous.

Q: For those members who never met Don, what is most important for them to know about him as a lawyer and as a person?

A: Don was a lawyer’s lawyer. Before starting his own practice, he had for many years been a public servant in the Law Departments of the Appellate Division, Supreme

Court of New York County and in the Surrogate’s Courts in New York County and Westchester County, during which time he acquired a wealth of knowledge and built up an enormous catalogue of Surrogate Court cases on numerous topics. Don took great pleasure in helping new lawyers of all ages and pro se litigants with Surrogate’s Court practice, not only when he was working in the courts but also after he had gone into private practice. I remember the first time I met Don. I was filing renunciation documents in New York County. Don happened to be the person reviewing them and had a small exception. He took the time to



Don Klein, Esq.

give me the cite and to explain what he required to perfect the documents. I became friendly with Don when we had each moved our offices to Westchester. We belonged to the same discussion group, and he was always so giving of himself with practical approaches.

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AN INTERVIEW WITH SUSAN TAXIN BAER ABOUT DON KLEIN, ESQ.

*“Don was a lawyer’s lawyer . . .
[He] thoroughly enjoyed the law and
wanted to share his love for the law
with others who were similarly
enthusiastic about the profession”*

from previous page

Q: Besides the women attorneys he loved to spend time with, who were the other women in his life and how did he support them in their endeavors?

A: Don was married for many years. His wife, Barbara, was the Director of a nursery school and a teacher, and they had two children, Zoe and Jason. He was extremely proud of all three of them, and loved to talk about their achievements. He was actively involved as a husband and father. Don’s mother who was an art collector gave him a love of art, especially modern art. I remember Don giving his guests a tour of the art in his home and how pleased he was as he pointed out a work of art from New Mexico that he had just acquired.

Q: What made Don Klein special as a lawyer and active member of the Community?

A: As noted above, Don was a director of the Ruth and Seymour Klein Foundation. In addition to its contributions to the WWBA Foundation, it

sponsored the City Bar Botein awards recognizing court personnel in the First Department Supreme and Surrogate’s Courts. Don also used his persuasion as a director of the Neuberger Museum to see that that space was available for the WWBA holiday party for many years. He was extremely social, fun loving, and warm, and loved hosting his own holiday and other parties.

Q: Was Don active in other bar associations?

A: Yes. Don was active in several bar associations, but his greatest dedication was probably to the New York State Bar Association, where he served as chair of the Surrogates’ Committee of the Trusts and Estates Law Section. Don and his long time friend and colleague, Arlene Harris, produced a column for the Quarterly Newsletter of T&E Law Section, in which, for over a decade, they reported on recent cases in the Surrogate’s Courts around the state. Don was also a terrific athlete, and chaired the tennis tournaments at the T&E Law Section Fall meetings. ▀

► Peace Program

THE NEW YORK PARENT EDUCATION AND AWARENESS PROGRAM

How the Court System is Succeeding in Protecting Children Whose Parents are Going Through Divorce, Separation or Other Child-Centered Litigation

You do not have to know someone who is undergoing a separation, divorce or other child-centered litigation, and you do not have to experience it yourself, to recognize that putting children in the middle of the adult conflict can be detrimental to their health and well-being.

In 2001, New York State Court of Appeals Chief Judge, Judith Kaye, in her State of the Judiciary address, announced an initiative to institutionalize parent education and awareness programs in New York State, and the creation of an advisory board to oversee this process. The Hon. Evelyn Frazee, a Supreme Court Justice in Rochester, is the Chair. This program is called the New York State Parent Education and Awareness Program.

What is the New York State Parent Education and Awareness Program? It is a program designed to educate divorcing or separating parents about the impact of their breakup on their children. The primary goal is to teach parents ways they can reduce the stress of family changes and protect their children from the negative effects of ongoing parental conflict in order to foster and promote their children’s healthy adjustment and development.

What does the court system do? Following the guidelines developed by the Advisory Board, the Office of Court Administration certifies and monitors local providers of such services who wish to accept court-referred participants. The New York State Parent Education and Awareness Program has a website at www.nycourts.gov/parented. It contains all of the guidelines and procedures for certification, and all of the forms that the providers of the program must use. There are currently 50 certified parent education providers with a presence in all 62 counties offering classes in 91 locations. Judges may, in their discretion, order parents to attend these classes, parents may self-refer and attorneys as well as agencies can refer parents.

Currently, parent education is available throughout the state. The program is focusing on “getting the word out” about the certified programs so that more and more parents will utilize them. If you have any suggestions about how this can be accomplished, you can contact the Program by e-mail at nyparent-ed@nycourts.gov or at 888-809-2798, or by mail at the New York State Parent Education and Awareness Program, 140 Grand Street, Suite 701, White Plains, N.Y. 10601. Also, you can locate information about parent education at the parent education website at www.nycourts.gov/parented. Finally, please tell parents about this important program – it can make all the difference in the lives of children and parents in this state. ▀

Westchester Women's Bar Committee Activities

Matrimonial

On September 25th, 2008 the matrimonial committee of the Westchester Women's Bar Association held an event at the Bank of New York entitled "Hidden Minefields and Treasures in Five Leading Court of Appeal Decisions" The Speakers included Elliott Scheinberg, Esq. and Ron J. Klein, CPA with Hon. Lewis J.

Lubell acting as moderator.

Over 40 members attended and were treated to an engaging lecture on topics such as the concept of double dipping, upward and downward modification of child support and retroactive child support prior to the application date. ▀



Lonya Gilbert, Elliott Scheinberg, Kathleen Donelli, and Fran DeThomas



Lonya Gilbert, Kathleen Donelli, Ron Klein, Fran DeThomas, and Elliott Scheinberg

Trusts and Estates

The Trusts & Estates Committee invites you to an Artwork CLE program, Insuring Title to Your Clients' Artwork, What You Need to Know, scheduled on October 20, 2008. The program is FREE thanks to the generous sponsorship of LibertyArt Title Insurance. See our back cover for details. ▀

Upcoming Committee Events

The Family Children and the Courts, Matrimonial, and the Trusts and Estates Committee are co-sponsoring a brown bag lunch program on November 6th from 12:30-2:30 on the 9th floor of the Westchester County Courthouse on Wealth Management for Domestic Partnerships. The program will include advice on; Preserving assets for your domestic partner and/or children, thereby reducing estate taxes; Retirement strategies, such as tax-advantaged distribution alternatives and beneficiary designation; Tax-smart investing and capital gains considerations; Income and Estate Tax saving strategies and Legacy protection, philanthropic and liquidity. The speakers are Deborah Seidenberg and WWBA Member Marie Corliss. Please RSVP to Emma at (914) 591-3278. ▀

Practice Management

On September 23, the Practice Management Committee presented *Powerful Persuasive Writing Techniques for Your Marketing Material and Briefs*. Working from the premise that a brief is a tool that an advocate uses to "sell" her client's position to the court, speaker Lisa Solomon, Esq., discussed techniques from the world of professional copywriting, and explained how to use those techniques to the greatest effect. Lisa also offered suggestions about how lawyers can use the same techniques to "sell" themselves to potential clients.

The Practice Management Committee welcomes suggestions for future programs. Send ideas to committee co-chairs Licia Sandberg (Sandberg@sblawyers.com) or Lisa Solomon (Lisa@QuestionOfLaw.net). ▀

► October Practice Management Tip

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88-356 (Temporary Lawyers) and ABA Formal Op. 00-420 (Surcharge to Client for Use of a Contract Lawyer). First, it discusses whether the hiring attorney must disclose the use of a contract lawyer (yes, if the contract lawyer is to perform independent work for the outsourcing lawyer without the "close supervision" of the outsourcing lawyer or another lawyer associated with the outsourcing lawyer's firm). Second, it advises outsourcing lawyers to recognize and minimize the risk of inadvertent or advertent disclosures of confidential information by the contract lawyer.

Op. 08-451 Reaffirms that it is Perfectly Ethical for Outsourcing Attorneys to Earn a Profit on Services Provided by Contract Lawyers

The ABA saved the best for (almost) last:

... the fees charged by the outsourcing lawyer must be reasonable and otherwise comply with the requirements of Rule 1.5. In Formal Opinion Np. 00-420, we concluded that a law firm that engaged a contract lawyer could add a surcharge to the cost paid by the billing lawyer provided the total charge represented a reasonable fee for the services provided to the client. This is not substantively different

"[T]he lesson is clear: if you want to realize a profit from the work performed by a contract lawyer, bill the contract lawyer's services as a legal fee, not as a disbursement. It's that simple."

from the manner in which a conventional firm bills for the services of its lawyers. The firm pays a lawyer a salary, provides him with employment benefits, incurs office space and other overhead costs to support him, and also earns a profit from his services; the client generally is not informed of the details of the financial relationship between the law firm and the lawyer. Likewise, the lawyer is not obligated to inform the client how much the firm is paying a contract lawyer; the restraint is the overarching requirement that the fee charged for the services not be unreasonable.

The opinion then states that no markup is permitted if the firm decides to pass the cost of hiring a contract lawyer through to the client as a disbursement. So, the lesson is clear: if you want to realize a profit from the work performed by a contract lawyer, bill the contract lawyer's services as a legal fee, not as a disbursement. It's that simple.

The opinion closes with reassurance for the many contract lawyers who perform work for attorneys located in

jurisdictions where the contract lawyers are not admitted, explaining that, ordinarily, an individual who is not admitted to practice law in a particular jurisdiction may work for a lawyer who is so admitted, provided that the lawyer remains responsible for the work being performed and that the contract lawyer is not held out as being a duly admitted lawyer.

Conclusion: Op. 08-451 Should Raise the Profile of Independent US-Based Contract Lawyers and Assuage the Concerns of Hiring Attorneys

The ABA's position on outsourcing in Op. 08-451 is consistent with the favorable position it took in Formal Op. 88-356 Formal Op. 00-420. The vast majority of state and local bar associations have followed these opinions in whole or part, and I expect that they will follow Op. 08-451 as well.

Independent U.S.-based contract lawyers generally provide unique, individualized services (such as substantive legal research

and writing) to small firms and solo practitioners. This type of work is less subject to commoditization than document review work for corporations or large firms, and it is this commoditized work that forms the majority of legal work that is shipped abroad. Thus, while Op. 08-451 may represent a threat to U.S.-based contract lawyers who do document review through staffing agencies, it can only be a boon to US-independent contract lawyers. ▀



This month's Practice Management Tip was provided by Practice Management Committee co-chair Lisa Solomon, Esq. Her law practice website is www.QuestionOfLaw.net. Opinions expressed in the articles contained herein are solely those of the author(s) and do not constitute positions taken by the WWBA.

▶ Chapter News and Announcements

Announcements & Notes on Members

- **Deborah Wayne & Kathleen Donelli** have become Adjunct Professors at Pace Law School, teaching Collaborative Law.
- **Jean Partridge**, Chief Counsel and managing member of Benchmark Title Agency, LLC has been appointed to the executive committee of the New York State Land Title Association.
- Members **Katherine Zalantis** and **Steven Silverberg** had an article published in the New York Law Journal, Special Section on Climate Change on September 15, 2008 entitled "The Ultimate Challenge to SEQRA."
- **Deb Volberg Pagnotta**, CEO of Interfacet, Inc., is pleased to announce that Interfacet will be providing a new seminar "Workplace Re-entry Training Weekend" to non-lawyer professionals. The first of these general re-entry programs will run in Tarrytown, NY, on November 14-16, 2008, to be followed by the next in Manhattan, January 23-25, 2009.
- The White Plains office of Havkins Rosenfeld Ritzert & Varriale, LLP is pleased to announce its expansion this month. Carmen A. Nicolaou has joined resident partner **Tara C. Fappiano** in White Plains, from HRRV's Manhattan location. HRRV provides legal services in practice areas including commercial litigation, construction litigation, environmental impairment and toxic tort litigation, general liability, insurance coverage counseling and litigation, professional liability and sports, recreation and leisure counseling and litigation.
- Littman Krooks LLP is proud to announce that attorney **Adrienne J. Arkontaky** has been named to the Coleman School Board of Trustees. Ms. Arkontaky's practice focuses exclusively on special education advocacy, special needs planning, trusts and guardianship for families of children with disabilities. ▶

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 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. ▶

Meet the Past Presidents at the November Board Meeting!

If you are a WWBA member, or thinking about becoming one, you are invited to meet the Past Presidents at a wine reception and attend a Board Meeting on November 5, 2008 5:30 p.m. - 7:30 p.m., BNY Wealth Management, 701 Westchester Avenue, White Plains, NY. The event is free of charge. RSVP to Dawn Arnold at president@wwbany.org. ▶

▶ 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:

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▶ WWBA Schedule of Upcoming Events

COMMITTEE	DATE/TIME	PLACE	TOPIC	RSVP
WWBA Board Meeting	10/1/08 Light Supper & Meeting 5:30-7:30 pm	BNY Mellon 701 Westchester Ave White Plains, NY	Board Meeting	Dawn Arnold (914) 381-7400 or president@wwbany.org
Networking and New Lawyers Committees	10/2/98 5:30 – 7:30 p.m.	Tango Grill 128 East Post Road White Plains, NY	Fall Networking Event Just for fun!	JoAnn Prescott (914) 621-9300 or joann@prescottagency.com
Trusts and Estates Committee	10/20/08 6:00-8:00pm	BNY Mellon 701 Westchester Ave White Plains, NY	“Insuring Title to your Client’s Artwork”	Jody Fay (914)428-4787
Bankruptcy Committee	10/22/08 12:00 – 1:30 pm	Federal Courthouse Jury Room 300 Quarropas Street White Plains, NY	Practice Pointers and Mistakes to Avoid When Filing a Bankruptcy Case	Julie Cvek (914) 381-7400 or jcvek@ratttetlaw.com
WWBA Special Event	10/24/08 3:00-9:00	Pace Law School Tudor Room	Women and the Law Conference. Keynote is Lisa Belkin, writer, NYT and author the <i>Opt Out Revolution</i>	Via mail (see flyer). Pace Law School Center for Career Development (914) 422-4217
WWBA Board Meeting	11/5/08 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
Family Children and The Courts; Trusts and Estates; and Matrimonial Committees	11/6/08 Brown Bag Lunch Meeting 12:30-2:30pm	Courthouse 111 Dr. Martin Luther King Jr. Blvd. 9 th Floor	“Domestic Partnerships”	By 10/31 to Emma 914-591-3278 or emma@alaynekatzlaw.com
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
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 jfay@libertytitle.biz

▶ Other Upcoming Events

Westchester Public Private Partnership	10/7/08	Westchester Marriot Tarrytown, NY	Golden Harvest Breakfast	Questions: (914) 813-6435
Westchester County Senior Law Day – WWBA Co-Sponsor	10/16/08	Westchester County Center	Various workshops for seniors dealing with legal issues	
The Pace Women’s Justice Center Annual Dinner	10/16/08 6-9:00	Abigail Kirsch at Tappan Hill	Eleventh Annual Benefit	Woodrina Harris (914)422-4069
Northern Westchester Shelter Luncheon	10/17/08 11:00-2:00	Elmwood Country Club, White Plains	Annual Luncheon Benefit	Andrea Nord (914) 747-0828
Legal Services of Hudson Valley	10/22/08 6 – 8 pm	Fairview Country Club	Partners in Justice Reception	Erin Guven eguven@lshv.org
My Sisters Place	10/23/08	Brae Burn Country Club, Purchase	Annual Luncheon	
NYS Society of CPAs Westchester Chapter	10/30/08 5:30-8:00	Willow Ridge Country Club	Networking Event	Cost and Details to Follow

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.