

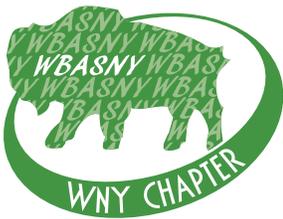
PRESIDENT'S MESSAGE



HILARY C. BANKER
2006-07 PRESIDENT

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Dear Members,
It is with excitement and nervousness, but mostly pride that I begin my year as President of the Western New York Chapter of WBASNY. I feel pride when I look back at the twenty-one bright, energetic, dynamic women who preceded me in this role. Each one of these women has strengthened our Chapter by increasing membership, organizing interesting and diverse programs for our members, and promoting the Chapter as a strong voice on issues affecting women in our area and across the State. No one exemplifies these characteristics more than our immediate Past President, Lisa Mueller.

One of Lisa's main goals was to increase our Chapter membership. By the end of her term, our Chapter had 275 members, the most in Chapter history, and an increase of over 10%! I intend to continue Lisa's innovations in marketing and public relations with a goal of 300 members by January 31, 2007. If we reach this goal, we will be rewarded with another delegate at the State level, which will further strengthen the Western New York Chapter. Please help me reach this goal by sending in your membership invoice today!

Lisa also had an extremely successful year of programs. In particular, she expanded our Chapter tradition of coordinating programs with other local organizations. There were two ethics CLE programs with the Minority Bar Association of WNY, and another with the MBA and the Women

Lawyers of WNY. We hosted the BAEC Candidates' Luncheon with the Women Lawyers, and a cocktail reception for Hon. Sharon Townsend and Andrew Isenberg, Esq., in conjunction with the TICL section of the New York State Bar Association. We continued our tradition of law student mentoring with "8 minute mentoring" at UB Law School.

"I believe the most important part of WBASNY is its members."

We also partnered with the brand new Family Justice Center, sponsoring one of their conference rooms and celebrating with a fantastic reception where all wine was courtesy of Ginger Schröder. Thanks Ginger!!

Lisa also continued our Chapter tradition of combining networking with a lot of fun. We had the WBASNY New Year's Party at Lotis, the Holiday Party at Trattoria Aroma in Williamsville, and Martini Gras, our reception for newly admitted attorneys, at Toro Tapas Bar. Thank you to Batavia Legal

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PRESIDENT'S MESSAGE CONTINUED

Printing for sponsoring our New Year's Party and to John Bair at Forge Consulting for sponsoring our Holiday Party and Martini Gras! Also, our Chapter's Women in the Law series continued, with three great programs held at BAEC Headquarters.

And believe it or not, that is not even a complete list of the programs put on by our Chapter under Lisa's leadership.

I was recently asked what the "theme" for my Presidency was. At the time I had no idea. Then I was talking with Sheri Mooney about our upcoming Annual Installation Dinner. (September 14th, mark your calendars!) She noted that we will be honoring two fantastic women, who are also WBASNY members: Ginger Schröder, Esq. who will receive the M. Dolores Denman Lady Justice Award, and Denise O'Donnell, Esq. who will receive the President's Award. Sheri remarked that the theme of the Dinner should be "I love WBASNY". That could also be a theme for my Presidency, because I believe the most important part of WBASNY is its members. This year, I want each and every member to feel their membership is worth every penny of their dues. My goal will be continuing the WBASNY tradition of interesting, relevant, fun and low-cost programs.

We started the year right with our New Year's Party at Brinks, again sponsored by Batavia Legal Printing. Unfortunately, I was unable to attend, but I heard a great time was had by all and I thank everyone who came to honor Lisa and welcome me. Our upcoming itinerary includes the Women in the Law series, with programs on Rainmaking, Strategies for Success, and Creating a Home-Based Practice. We plan on at least two CLE programs, one on domestic relations law and one on Federal practice. There will be a foray into the sporting arena, with programs on self-defense, Pilates, and a group Sabres game. And, of course, we will have a number of social events, including Informal Networking dinners, Winter and Spring Happy Hours, our Fall mentoring program and the Reception for newly admitted attorneys in the Spring.

We will also continue to act on issues affecting our mission across the State. WBASNY has completed its judicial screening at the State level for the Court of Appeals and at the local level for Supreme, County and City Court. We will continue to comment on relevant legislation, including, for example, legislation on no-fault divorce, human

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.....**NEWSLETTER DESIGN**.....
Jason Tedeschi {sabrenaut@yahoo.com}

trafficking, and child witnesses.

As we continue to keep our members happy, and attract new members, our Organization grows, and so does our power to affect meaningful change on the issues that concern our members. I hope that our Organization grows during my Presidency and well into the future. To that end I would like hear from you. What programs would you like to see? What issues do you think we should be focusing on? How can we attract and keep new members? I am open to any and all suggestions, and I invite you to call me at 854-1744, or email me at president@wnychapter-wbasny.org. With your help, and with the help of my wonderful Board of Directors, we will make this the best WBASNY year yet!

Hilary C. Banker,
President, Western New York Chapter WBASNY

2006 AWARD RECIPIENTS: DENISE D. O'DONNELL AND GINGER SCHRODER

Each year, the Western New York Chapter of WBASNY presents two awards during the Annual Installation Dinner. This year, the dinner will be held at Shanghai Red's on September 14th.

The Chapter is pleased to announce its 2006 President's Award Recipient is attorney Denise D. O'Donnell. In her early career Ms. O'Donnell was a Confidential Law Clerk to the Honorable M. Dolores Denman at the Fourth Department before departing and joining the U.S. Attorney's Office. Denise was a founding member of the Western New York Chapter of the Women's Bar Association, and served as Chair of its Legislative Committee and Child Care Task Force.

Following many years of dedicated service, Ms. O'Donnell was named as the first female United States Attorney for the Western District of New York, serving in that position from 1997 until 2001. She is currently a partner at Hodgson Russ LLP.

An active member in numerous professional and civic organizations, Ms. O'Donnell is a Fellow in the New York State Bar Foundation and serves on the Board of Directors of the National Women's Hall of Fame and National Conference of Community and Justice (Western New York Chapter).

Denise is a summa cum laude graduate of UB Law School and

served many years as an adjunct professor in the Trial Techniques Program. She is a trustee of the SUNY Buffalo Foundation and serves on the Dean's Council at the School of Law. A recent recipient of the New York State Bar Association's Ruth G. Schapiro Award, Ms. O'Donnell is known across the State for her contributions to the concerns of women.



DENISE D. O'DONNELL

With the President's award, this Chapter recognizes Denise O'Donnell's tireless efforts in both the private and public sectors. She has demonstrated a steadfast commitment to women's issues and an appreciation of the importance of cooperation and collaboration between agencies, institutions, organizations and people.

Ms. O'Donnell is married to New York State Supreme Court Justice John F. O'Donnell, a long time WBASNY Member, and former recipient of the prestigious President's Award. They have two adult children, Maura and Jack.

Recipient of the 2006 M. Dolores Denman Lady Justice Award is Ginger Schroder, Esq., a founding partner in the law firm of Schroder, Joseph & Associates, LLP. Schroder, Joseph is noted for being the only 100% women owned and staffed law partnership

in Western New York and known for their practice in management side labor and employment law.

Graduating from the State University of New York at Buffalo School of Law, Magna Cum Laude, Ms. Schroder has returned to the school as an adjunct professor. She also lends her expertise as adjunct faculty at the Cornell University School of Industrial and Labor Relations. She is a regular author for the Buffalo Law Journal and the Daily Record as well as the Newsletter

for the New York State Women's Bar Association. She has been recognized by Business First with their Who's Who in Law award for 2004, 2005 and 2006, and as a "40 under Forty" recipient, as well as being the recipient of the Society for Human Resource Management, Niagara Frontier Chapter's



GINGER SCHRODER

2001 Outstanding Human Resource Professional Award.

Ms. Schroder is well-known for her dedication to women's issues. She has chaired numerous committees at the state and local levels of WBASNY and has served at the state level as a Vice-President. Always quick with assistance, her tireless efforts as a member and past president of the Western New York Chapter of WBASNY are recognized with the presentation of this award.

Ms. Schroder is married to Joseph Galda, and lives in Buffalo.

A NEW YEAR BEGINS

June 1, 2006 marked the start of our 2006-07 membership year. To celebrate this momentous occasion, members of the WNY Chapter gathered at Brinks in downtown Buffalo to welcome incoming Chapter President Hilary Banker and to bid a fond farewell to outgoing Chapter President Lisa Mueller. The festivities, including cocktails and hors d'oeuvres, were sponsored by our loyal friends at Batavia Legal Printing.



Left to right: Sue Duyssen of Batavia Legal Printing, Past President and Treasurer Sheri Mooney, Kelly Maher of Batavia Legal Printing and Jim Gerlach.



Immediate Past President Lisa Mueller (left) with President-Elect Kelly Philips.



Mary Lou Hayden and Jim Burgio.



Katie Baumgarten and Anne Rutland

KUDOS & CONGRATULATIONS TO:

- Carol Condon, Esq., for being named President of the National Association of Women Business Owners
- Renata Kowalczyk, Esq., for being named a partner at the law offices of Brown & Kelly, LLP
- Shelly Mayer, founding member of WBASNY, on her run for New York State Assembly

MOVING ON:

- Stephanie Williams Torres, Esq., recently accepted a position as Director of Medical Affairs for Kaleida Health Systems in Buffalo, New York

REQUIREMENTS FOR ARTICLE SUBMISSION

Submissions for the next WBASNY-WNY newsletter must be received by Monday, July 10, 2006 at 5:00pm. Submission must include author's name and telephone number. **Electronic submissions are preferred and should be no longer than 500 words.** If you have any questions or comments, need additional information, or wish to submit items for publication, please contact:

Tiffany M. Szymanek

E-mail: newsletter@wnychapter-wbasny.org

Phone: 716.854.1300

Note: Any opinions expressed in this newsletter are solely those of the author and do not reflect the opinions of WBASNY, the Western New York Chapter, the Officers and Directors, or the editor.

THE TOP TEN STUPID THINGS LAWYERS DO THAT LEAD TO AN APPEARANCE BEFORE THE ATTORNEY GRIEVANCE COMMITTEE

by Stephanie Williams Torres, Esq.

I. Commingling of funds

It goes without saying, but I'll say it anyway: keep separate accounts. Never mix moneys from your operating account with client trust fund accounts. Never borrow money from your client trust account. Set up an IOLA account for your client trust account and send the interest on this account to the New York State IOLA trust fund. If you are broke – too bad. Being broke is a temporary thing – being disbarred is forever.

II. Blatant lies and deception

Don't make up appearances that you have not made, telephone calls that you have not placed, or letters that you have not written. Your client does not think of you as "Superwoman" – she recognizes that you are human. People will respect you for having enough integrity to tell the truth. More importantly, they will never forget it if they catch you in a lie.

III. Failure to listen to the client

A lawyer's natural problem solving and adversarial skills can get in the way of hearing what the client is trying to communicate. Listening is done with both the eyes and the ears. A lawyer should observe the client's body language. A client's body language will provide clues as to whether the client is uncomfortable informing the attorney as to what happened or is going on. Sometimes clients are not sure what they want; they only believe that a wrong has been committed.

IV. Failure to treat the clients as the center of your universe during their appointed time

Just as you do not want to spend time rehashing your medical history with your physician, your client does not want to spend time with you playing "catch up" on the status of their case. When you meet with a client, you should give your client your full attention. Taking telephone calls and other interruptions are a no-no.

V. Failure to document

a. Failure to provide clear engagement letter. Opportunities exist for malpractice claims due to poor communication between the attorney and client. It is essential that the lawyer make sure all the participants in the representation of a matter are clear on their respective roles and responsibilities. The engagement letter should detail the scope of the representation indicating what the lawyer will and will not do.

b. Failure to have a written fee arrangement. Cli-

ents should be given the written fee agreement with the engagement letter. Fees and fee structure, timing of payments, distinguishing costs, timing of costs and payments must be discussed with the client.

c. Failure to provide non-engagement letter. This letter should be sent to all persons who the lawyer has provided a consultation but has determined that no lawyer-client relationship exists. The letter should state that no lawyer-client relationship exists, warn the individual of any statute of limitations and encourage consultation with other counsel regarding the matter.

VI. Failure to spend sufficient time developing the client's case

A lawyer has to competently handle a client's matter. Taking in more cases than you have time to give the proper attention will inevitably lead to a letter from the Attorney Grievance Committee.

VII. Failure to educate the client

The client should have ownership of his/her matter. At times, lawyers act from an authoritarian position, thinking that he/she knows what is best for the client. The client has a right to be informed about his/her matter. Information helps the client in assessing and evaluating the progress of their case, as well as the attorney's progress.

VIII. Failure to return phone calls

Many client grievances result from clients thinking that their lawyer is inattentive to their matter. Telephone calls should be returned promptly. If the attorney is unable to respond to a client quickly, a member of the attorney's legal team should call and speak with the client.

IX. Failure to communicate with the client

A lawyer should correspond regularly with the client and send the client every document, letter, and memorandum written or filed on behalf of the client. The lawyer should also provide the clients updates on the status of the client's case.

X. Failure to add value to the legal service provided to the client

What a lawyer perceives as value may be different from what a client thinks is value. When a client hires an attorney, the lawyer has a tendency to focus on the legal problem presented and believe that value is given when the legal issue has been resolved. Adding value, however, is more than resolution of the client's problem, but in addressing to the client's needs.

