

# WBASNY Newsletter

VOL. 25, ISSUE 3 WINTER 2009

WOMEN'S BAR ASSOCIATION OF THE STATE OF NEW YORK WESTERN NEW YORK CHAPTER

## NEIGHBORHOOD LEGAL SERVICES, INC. ADVANCES THE BENEFITS OF MEDICAL - LEGAL COLLABORATIVES IN ERIE COUNTY



**MARYBETH PRIORE**  
2008-09 PRESIDENT

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It's 8:30 a.m. on a cold, winter Monday morning in 2008 when the phone rings in Attorney Dawn Myszka's office at Neighborhood Legal Services (NLS). It's the Social Work Department at Roswell Park Cancer Institute (RPCI). On the line is Kate Grandits, a Medical-Social Worker and Dawn's collaborator in a unique the Medical-Legal Collaborative at Roswell Park Cancer Institute. Dawn, who splits her time between offices at Roswell Park and NLS, listens and begins to pack her brief case to immediately leave for the hospital. Upon arriving at the cancer center she goes up to the ward and she's introduced to "Abby".

"Abby", who is now deceased, was a 37 year old single mother of 3 children ages 10, 8 and 3 years. Abby was diagnosed with refractory CML and advanced cervical cancer and had been hospitalized for about a month. Abby was referred to the NLS Medical-Legal Collaborative program by her social worker and medical oncologist. Abby needed assistance with a pending eviction from her apartment. Abby, too ill to be able help herself, needed assistance finding another suitable and affordable apartment for her family upon her discharge from the hospital. She also had concerns on the future care and custody of her three children as her prognosis was not good.

Dawn was able to assist "Abby" with rental and moving assistance grants through the Erie County Department of Social Services. Dawn was also able obtain a \$200.00 cash grant from the Maria Love Foundation to help her set up her new apartment with her children; arrange for a home visit by the local department of social services concerning her public assistance case; obtain an increase in public assistance

benefits for each of her children; have a stand-by guardianship designation in place for each of her children to be cared for after her death; and complete a Power of Attorney to designate someone to help her with paying her bills. With the stand-by guardianship



in place, (instead of being sent to foster care), the children were placed in the care and custody of loving relative when "Abby" passed away.

On a similar day Dawn received a call regarding "Mary". At age 43, "Mary" was diagnosed with breast cancer. She was referred to Dawn by the hospital's Director of Social Work and Case Management for assistance with a denial of her Medicaid benefits. Dawn met with "Mary" and reviewed the denial letter and also determined that she'd been denied food stamps as well. "Mary" had already filed an appeal on the denial of

**"NEIGHBORHOOD LEGAL SERVICES"**  
CONTINUED ON PAGE TWO

## NEIGHBORHOOD LEGAL SERVICES CONT'D

both applications. In preparing for the hearing on the denials, Dawn discovered that the local department of social services incorrectly counted state disability benefits paid to "Mary" towards her income eligibility for both programs. "Mary's" receipt of those benefits had expired months before her Medicaid and food stamp applications were filed. Dawn also determined that due to the effects of her illness and the debilitating treatments, "Mary" had filed an untimely appeal of the denial of her Medicaid application. During the fair hearing, Dawn brought it to the attention of the ECDSS representative that the state



disability benefits were incorrectly attributed as income in determining her eligibility for both programs. The agency agreed to recalculate "Mary's" food stamp and Medicaid eligibility as well as waive the late filing of the Medicaid appeal. After the recalculation by the agency, "Mary" was awarded both retroactive food stamps and Medicaid benefits. These benefits greatly eased "Mary's" worries about her health insurance and financial security and allowed her

to focus her attention on the her treatments and getting well.

"John", age 58, was diagnosed with advanced head and neck cancer. He is married and has an adult child. The adult child does not live with "John" and his wife. Neither "John" nor his wife work. Their only source of income is a small monthly retirement benefit for "John" and food stamps. "John" has to undergo a series of daily morning radiation and afternoon chemotherapy treatments. "John's" wife, age 56, is also ill. He and his wife live about an hour-and-a-half away from Buffalo. Rather than drive back and forth to Buffalo each day for his treatments, "John" stays at a local hospitality house offered to patients. The local county department of social services where "John" lives reduced his and his wife's food stamp benefits to less than 1/2 of their current amount. They claimed that "John" was no longer residing in the household. "John" and his wife also needed immediate home heating assistance (HEAP).

"John" was referred to Dawn by his nurse at RPCI. According to his nurse, everyday when he came in for his treatments, he was distraught because he did not know where to turn or obtain help for these issues. After meeting with "John" and advising him of what Neighborhood Legal Services could do to assist,

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## REQUIREMENTS FOR ARTICLE SUBMISSION

Submissions for the next WBASNY-WNY newsletter must be received by Friday, March 27, 2009 at 5:00pm. Submission must include author's name and telephone number.

***Electronic submissions (Microsoft Word documents [.doc]) are preferred and should be no longer than 600 words.***

If you have any questions or comments, need additional information, or wish to submit items for publication, please contact:

Monica Wallace

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*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.*

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Dawn could actually see the stress being lifting from his shoulders. In fact, he started to cry because he was so grateful that someone was there to help him and his wife as he was physically unable to do this himself. Neighborhood Legal Services was able to immediately reinstate his full food stamp benefit as well as obtain emergency HEAP assistance to keep his utilities on.

These are just some of the stories of the clients helped through this unique medical-legal collaborative program since it began in 2004 with a grant from the New York State Department of Health. The grant was one of five pilot projects funded around the state to provide legal assistance to the those low income people facing cancer who needed legal assistance. "The need for these services is very clear," said William Hawkes, Executive Director at Neighborhood Legal Services. "I recall hearing the grant announcement on the radio in the car on the drive to work in April 2004. A spokesperson for Governor Pataki was announcing the initiative to assist cancer patients and that a total of \$500,000 would be divided by five programs in Buffalo, Syracuse, Albany, New York City and Long Island. By 10:00 a.m. that same morning we received our first request for services by someone being treated at Roswell."



In the four plus years we ran the project NLS learned a great deal about the benefits of this type of legal outreach. In addition to the broader benefits obtained by low-income patients, the health care institution often sees both a health care outcome benefit (through reduced patient stress) and a financial advantage from the medical-legal collaborative. The financial benefit relates directly to the frequent need of

patients to receive assistance with securing health insurance either through Medicaid, Medicare or private health insurance payments for both themselves and their family. What may otherwise have been written off as charity care, or un-collectable medical debt, becomes paid care with the assistance of the NLS



attorney. A study done in just seventeen Roswell cases revealed over \$600,000 in insurance benefits received on behalf of NLS clients served by Ms. Myska.

Dr. Kerry Rodabaugh, then an OB-GYN surgeon in the Department Gynecological Oncology, and Maureen Hammond, then Director of Social Work at RPCI, were the Institute's champions of these medical-legal services at Roswell during the four and a half years the project was funded. They assisted NLS by partnering on the drafting the initial grant, and when, after two years the NYS Department of Health Grant expired, they applied to the Roswell Park Alliance Foundation and secured funding equivalent to 50% of the project costs for the last two years. Dr. Rodabaugh has conducted research on the quality of life improvements medical benefits of making legal services available to those cancer patients who cannot afford a lawyer. Dr. Rodabaugh has continued championing the medical benefits of medical legal partnerships in her new position at the University of Nebraska, Medical Center. All of the patients served by the NLS-RPCI medical-legal collaborative had incomes of no more than 200% of the poverty level. Unfortunately, the project ended at the end of December 2008 as a result of a loss of funding. Dawn was recently reassigned to our Grandparent Advocacy Project which assists kinship care givers who wish to keep their kin, usually grandchildren out of the foster care system.

NLS continues to seek opportunities to re-start the RPCI collaborative and even to expand the project to other health care institutions within the region. NLS has been greatly assisted in the pursuit of these goals by the assistance of volunteer attorneys Jean Gittler and Carol Alaimo who have worked tirelessly to expand awareness within the local legal and medical communities about the benefits of medical-legal collaboratives. NLS thanks them for their great support.

— By William Hawkes, Neighborhood Legal Services

## COLLABORATIVE DIVORCE AN OPTION FOR WESTERN NEW YORKERS

Western New York has recently welcomed Collaborative Law as an option for divorcing, separating or restructuring families.

It is likely we have all been touched in some way by divorce and seen the strain that can come in this time of great change and emotion. Through these experiences and our work, most of us have become familiar with basic provisions of New York State Domestic Relations Law and the availability of the traditional litigation path for divorcing parties. Collaborative Law is something new - something different.

Collaborative Law is designed to resolve difficult family matters through a process that is respectful of both the family's history and their future. It leaves all of the decisions in the hands of the parties.

Collaboratively trained attorneys are

hired by each party for the express purpose of working to resolve matters without litigation. If an agreement cannot be reached and the matter is proceeding to litigation both lawyers must withdraw; neither can represent their client against the other in ensuing matrimonial litigation. This provides an incentive for all parties to remain at the table to resolve matters.

Parties work as a team with their attorneys and possibly with other advisors in a series of four (or five or six) way conferences. Parties have the benefit of legal counsel yet also have the opportunity to take a real part in crafting an arrangement to suit their individual and family needs.

The process requires an honest exchange of information between spouses, the ability to express needs and expectations, and to consider the interests

of both parties and any children in crafting resolutions that meet the needs of the family. For these reasons it is certainly not for every family.

Growing in popularity since 1990, Collaborative Law offers families a private, practical way to address the realities of divorce. Parties and their attorneys can be flexible with meeting times and they can be creative crafting solutions which meet the needs of the family.

For parents who need to continue to co-parent or for parties who wish to part as friends or at least on cordial terms in this very small town, Collaborative Law is a great option.

— *By Bridget M. O'Connell*

See [www.wnycollaborativelaw.com](http://www.wnycollaborativelaw.com) for further information.



## MEMBER PROFILE: HON. TRACEY BANNISTER

of the Buffalo/ Niagara YMCA and as a Director of the not-for-profit group, Lawyers for Learning, both organizations providing services to children in challenging economic situations. In April 2007, she was named "Volunteer of the Year" of the Buffalo / Niagara YMCA.

Judge Bannister is also a member of the Zonta Club of Kenmore which provides volunteer services to many local organizations. In that capacity, she participated in annual clean-ups of local parks, assembled Hospice Bouquets, staffed Monday night Bingo at a local nursing home and provided educational aid to needy local high school girls. She has been a member of the Board of Directors of the YWCA of the Tonawandas which, among other things, provides emergency services to victims of domestic violence.

Judge Bannister hopes to continue to serve as a leader for all women in the community. She recognizes the importance of promoting the advancement of women in society and in the legal profession in Erie County. With Catherine Nugent Panepinto as her Confidential

Law Clerk and Patricia Coppola as her secretary, she has an all female staff and intends to continue her efforts to increase the opportunities for women locally.

Judge Bannister lives in Kenmore with her husband of 25 years and their two children, who are both currently attending college. When we sat down over a cup of coffee, she had just finished her first day on the bench as a Supreme Court Justice. She says that this opportunity is a "dream come true" for her. Her enthusiasm and humble appreciation for this position is readily apparent. When asked what she strives to achieve going forward, she promises to do the best job she can and to be as fair as possible. She wants to make everyone proud, especially those who supported her. And if you have the opportunity to speak with her about it, you will see first hand just how passionate she is. When asked about her experience campaigning for Supreme Court Justice, she says that the most difficult thing about it was putting herself first. Not a surprising response when looking at all of her achievements.

— *By Melissa A. Foti*

In November 2008, Tracey Bannister won the election for State Supreme Court Justice in the 8th Judicial District which includes Erie County. Judge Bannister previously served as the confidential law clerk to the Hon. Jerome C. Gorski at Supreme Court from 1989 through 2001 and at the Appellate Division, 4th Department from 2001 to 2008. She also served as a Village Justice for the Village of Kenmore. Judge Bannister has a long history of service in the community including serving on a Board of Management



## 2009 WBASNY CONVENTION IN NIAGARA-ON-THE-LAKE

The 2009 Annual Convention is scheduled to take place in Niagara-on-the-Lake, Ontario Canada from June 4-7, 2009. The convention will take place at the exclusive Queens Landing, a renowned inn and conference center. Information regarding the Queens Landing and other vintage inns can be found at [www.vintageinns.com](http://www.vintageinns.com). The 2009 Convention Committee is hard at work planning the schedule of events, including the Friday and Saturday night receptions, Continuing Legal Education classes, and a variety of events for all of those who attend. Anyone interested in joining the committee should contact Natalie Grigg at [nataliegrigg@gmail.com](mailto:nataliegrigg@gmail.com).

Niagara-on-the Lake is full of beauty and history. Its many attractions include parks, agricultural markets, the Shaw Festival, art galleries, antique shops, the marina, the shopping district, golf courses, and world famous Niagara wineries. Come enjoy a relaxing carriage ride through Town, an exciting jet boat tour up the Niagara River, a decadent wine tour, or a relaxing massage at one of the Vintage Inn spas.

Niagara-on-the Lake has retained its 19th century charm and is a wonderful place to explore with family and friends. Enjoy a walking tour of Fort George, where you and your family watch the staff recreate the lifestyles and activities

of the period. For something a little different, take a guided tour of the Great Mountain Ginseng Farms and learn firsthand how the ginseng plant is grown, or walk among the butterflies as you make your way through a network of paths in the Butterfly Conservatory.

For those who seek the outdoors, Niagara-on-the-Lake is small enough to inspire walkers, hikers, and cyclists to explore the area at their leisure. The adventurers among us can take a self-guided walking tour of the area and experience the scenery as well as a variety of historical sites. The Niagara River Recreation Trail has its northernmost point at Fort George and is used as a walking, cycling, and rollerblade path. Pick up a lunch at one of the area country markets or gourmet marketplaces and enjoy a quiet picnic along the Niagara River.

In addition to the many activities offered within the town of Niagara-on-the-Lake, Niagara Falls, Canada is a mere 20 minutes away. Take a trip over to Niagara Falls where you and your family can walk along the Falls, the Queen Victoria Park, and The Great Canadian Midway. The surrounding area of Clifton Hill, also includes many fun-filled activities including shopping, miniature golf, and an assortment of dining venues. You (and your family) can take a tour of the MovieLand Wax Museum of the Stars,

Ripley's Believe it Or Not, or the Guinness World Records Museum. If a little adventure is what you seek, dare to attend the Imax Movie Theater, the Ghostbusters dark theater ride, the FX Ride Theater, or the Nighmares Fear Factory. Additional sites to visit include the Niagara Casino, the Hard Rock Café, the Rainforest Café, and the Bird Kingdom, the World's largest, free-flying indoor aviary.

So come and enjoy all that our friendly neighbors to the north have to offer. Stay tuned for additional details regarding the schedule of events and pricing!

### REMINDER

Passports are required to cross the border into Canada. Information regarding obtaining/renewing your passport can be found at [travel.state.gov/passport](http://travel.state.gov/passport). You can apply for a passport at many post offices throughout the state. Information regard how to obtain a passport or passport card at the post office can be found at [www.usps.com/passport](http://www.usps.com/passport). Additionally, the NYS Enhanced Driver License are available and serve as proof of U.S. citizenship. This license can be used for land and sea board crossings only, instead of a passport and is an accepted method of entry to and from the U.S. and Canada.

More information regarding the Enhanced Driver License can be found at [nysdmv.com/edl-main.htm](http://nysdmv.com/edl-main.htm).

## FEE DISPUTE RESOLUTION; GETTING PAID WHAT YOU EARNED

The Fee Dispute Resolution Program is outlined in the New York State Codes, Rules and Regulations Part 137. It was formed to provide for the informal and expeditious resolution of fee disputes between attorneys and clients through Arbitration and Mediation.

What is important for an attorney to know is that, prior to filing a law suit against the client to collect attorney's fees, attorneys are required to provide their clients with an opportunity to have the disputed fees heard in Arbitration. Many attorney's prefer to forego the fees owed with the belief that Fee Arbitration is too much of a hassle. Fee Arbitration is a very simple process that should be taken advantage of more frequently. In fact, clients frequently forego the Arbitration which permits the Attorney to then file suit.

When a client has failed to pay all or part of attorney's fees or disputes the attorney's fees, including costs, the Attorney is required to notify the client of their right to attend Fee Dispute Resolution. The Attorney must send the client the following documents: Petition; Dispute Settlement Rules and Standard Instructions to Clients for Arbitration of Fee Disputes Pursuant to Part 137 of the Rules of the Chief Administrator. These documents can be obtained from the Erie County Bar Association. The client has thirty (30) days to file the Fee Dispute from the date that they are put on notice or else it is deemed waived.

Once a client files a Fee Dispute, the Attorney is required to participate. An attorney who, without good cause, fails to participate in the Arbitration process shall be referred to the Grievance Committee. Essentially, an Attorney only has to write a response to the Fee Dispute and that is considered participation. The Attorney can waive their appearance at the Arbitration and rest on their written response. However, the personal appearance of the Attorney at Arbitration and their defense of their fees is

very persuasive.

If the fees owing are under \$6,000.00, then the Fee Arbitration panel will consist of one attorney but if the fee is over \$6,000.00, then the panel has one attorney and two lay people. The Fee Dispute Resolution Program does not take cases where there is less than \$1,000.00 in dispute or more than \$50,000.00 in dispute.

The burden of proof is held by the attorney to show the reasonableness of the fee by a preponderance of the evidence and to present documentation of



the work performed and the billing history. Thus, the attorney has a dual burden of showing that the fees were reasonable and the fees were earned. Either party can produce evidence and bring witnesses. The rules of evidence are not observed at the hearing.

Although the process appears burdensome or time consuming, an attorney who performed the work on the file can easily establish that the work was performed, the work was reasonable for that particulate matter and the work was performed in a reasonable time frame.

In matrimonial actions, an attorney is required to produce a Retainer Agreement or they will be precluded from collecting their attorney's fees. The only exception to the rule is for emergency situations where the Attorney did forward a Retainer Agreement but did

not have it returned prior to starting the emergency motion. However, the best practice is to ensure that a Retainer Agreement is signed before commencing any work.

The party aggrieved by the Arbitration Award may commence an action seeking a de novo review by a judge. If that request is not made within 30 days, the Arbitration Award is considered final and binding. If a party failed to participate at the hearing, they are precluded from seeking a de novo review.

If a client does not pursue Arbitration for attorney's fees within the 30 day requirement, then the Attorney may file a law suit against the client to collect the fees. The easiest way to pursue this relief is to file a Small Claims Petition in Buffalo City Court as they have jurisdiction over all towns, villages and cities in Erie County.

There are certain matters that cannot be resolved in the Fee Dispute Resolution Program which include: (1) representation in a criminal matter; (2) claims involving substantial legal questions, including malpractice or misconduct; (3) claims against an attorney for damages or affirmative relief other than adjustment of the fee; (4) disputes where the fee to be paid by the client has already been established by statute or rule and allowed as of right by the Court; (5) disputes where no attorney's services have been rendered for more than two years; (6) disputes where an attorney is admitted to practice in another jurisdiction and maintains no office in New York State or where no material portion of services was rendered in New York and (7) disputes however the request for Arbitration is made by a person who is not the client of the attorney or the legal representative of the client.

If you earned the fees, then invest the time to collect them!

— By Deanne M. Tripi, Esq.

## LABOR AND EMPLOYMENT LAW UPDATE: NEW FLMA REGULATIONS ISSUED BY THE DEPARTMENT OF LABOR

Whether you are a local business owner, a young lawyer about to welcome a new child, or a family member of an individual in the armed forces, the new regulations implementing the Family and Medical Leave Act ("FMLA" or "the Act") should be on your radar. The FMLA provides eligible employees of covered employers with up to 12 weeks of unpaid, job protected leave due to the birth, adoption or foster care of a child, to care for a family member with a serious health condition or to due to the employee's own serious health condition. Employees may likewise take up to 26 weeks of leave to care for an injured military service member. The Act covers private employers with 50 or more employees and all public employers. The FMLA was enacted in 1993 and the first and only interpretive regulations were issued in 1995.

The new regulations, issued November 17, 2008, are the result of nearly two years of review and analysis by the Department of Labor, including the collection and analysis of more than 15,000 comments on the existing regulations and 4,689 comments on the proposed regulations. Comments were received from workers, family members, employers, academics and other interested parties, including various women's rights groups.

The regulations took effect January 16, 2009. They address the original FMLA provisions as well as the recent military leave amendments which were added in January of 2008.

Some of the major changes and clarifications contained in the new regulations are as follows:

Absent unusual circumstances, employees must follow the employer's usual and customary notice and procedural requirements for requesting FMLA leave.

The notices that an employer is required to give to employees now includes: (1) a general FMLA notice; (2) an FMLA eligibility notice; (3) a notice of FMLA rights and responsibilities; and (4) an FMLA leave designation notice. The general notice must be posted and distribution to all new hires. The new regulations also provide new time limitations within which such notices must be given, usually



within 5 business days of a certain event.

The regulations also clarify that employers may retroactively designate leave as FMLA leave, unless such retroactive designation results in prejudice or harm to the employee.

If an employee would normally be required to work overtime hours but the employee is out on FMLA leave, the missed overtime hours can now be counted as FMLA leave.

Holidays falling during a full week of FMLA leave can also count against the employee's FMLA entitlement, unless the employee is using leave in increments of less than a week.

The regulations confirmed that past FMLA claims may be settled without

approval from a court or the Department of Labor.

An employee who takes FMLA leave may be disqualified from receiving a bonus based upon attendance, if other employees taking different types of leave are subject to the same rule.

Employers must notify the employee in writing of any alleged deficiency in a medical certification and allow the employee seven days to cure the deficiency.

Employers may now contact an employee's health care provider directly to clarify and authenticate a medical certification, as long as the employee has been given an opportunity to cure any deficiencies first. This contact may not be made by the employee's direct supervisor. The Department of Labor has stated that the goal was to create an open line of communication between employees, employers and health care providers to facilitate the leave process.

An employee must comply with the terms of paid leave policies when substituting paid leave for unpaid FMLA leave.

Employees must give 30 days advance notice of the need to take FMLA leave or, if the need is unforeseen, they must give notice "soon as practicable". As "soon as practicable" now means the same day or the next business day.

Finally, under the new military leave amendments, the new regulations provide a list of "qualifying exigencies" that can entitle a family members of military personnel to FMLA leave.

— By Elisha Burkart

As can be seen from this partial list of revisions, the new regulations make numerous changes to how FMLA leave is used, granted and administered. The Department of Labor's 762 page publication can be found at <http://www.nalco.org/depart/cau/pdf/fmla/60fr2180.pdf>.

## MEMBERS CELEBRATE THE HOLIDAYS AT NEKTAR

The WNY Chapter of WBASNY held its annual Holiday Party on December 11, 2008 at Nektar on Elmwood Avenue. We would like to thank Avalon Document Services for sponsoring this event.



Past President Melissa Nickson, Local Director Deanne Tripi, member Tom Palmer and member Mary Louise Hayden

Members Beth Solek and Tara Trammell and Local Director Amanda Warner



Members Susie Marriott and Anne Joynt and Local Director Sarah Ranni



Local Director Monica Wallace and member Jessica Foscolo



President Marybeth Priore, State Director Molly Mallia and Immediate Past President Kelly Philips

Local Director Jennifer Scharf and members Katie Wild and Jennifer Noah



## WBASNY PROGRAM CALENDAR

DATE	PROGRAM	LOCATION	TIME	CONTACT
Jan. 22	<b>Member Happy Hour</b>	Pearl Street Grill & Brewery 76 Pearl Street	5:30 p.m. – 7:30 p.m.	Melissa Foti <a href="mailto:MAFoti@kslnlaw.com">MAFoti@kslnlaw.com</a>
Jan. 27	<b>Chamber Chat w/Hon. Erin Peradotto</b>	50 Delaware 10 <sup>th</sup> Floor	Noon	Karen Richardson <a href="mailto:Karen_Richardson@nywd.uscourts.gov">Karen_Richardson@nywd.uscourts.gov</a>
Jan. 30	<b>Women in the Law: Part II Successful Strategies for Becoming a Judge</b>	BAEC Headquarters 438 Main Street 6 <sup>th</sup> Floor	Noon – 1:30 p.m.	Molly Mallia <a href="mailto:mmallia@damonmorey.com">mmallia@damonmorey.com</a>
Feb. 12	<b>Donna Brazile at the UB Distinguished Speaker Series</b>	UB Center for the Arts, North Campus	8:00 p.m.	Hon. Lenora Foote-Beavers <a href="mailto:lenorabernice@yahoo.com">lenorabernice@yahoo.com</a>

## JOINT CLE WITH THE BAR ASSOCIATION OF NIAGARA COUNTY

In cooperation with the Bar Association of Niagara County, WBASNY held a three hour CLE seminar on Saturday, November 8, 2008 at the Lockport Town and Country Club. The CLE, entitled "Practice and Procedure Before the Court of Claims and Department of Social Services" was a huge success and WBASNY plans coordinate another CLE seminar with the Bar Association of Niagara County in March 2009.



Speakers Ron Sutton, Esq., Hon. Michael Hudson, Tom Scirto, Esq. and Laura Wagner, Esq.

## WNY CHAPTER MENTORS UB LAW STUDENTS

On November 5, 2008, WBASNY hosted its 8 Minute Mentoring Program for UB Law students at the law school's Baldy Seminar Room. This is the second year that Amanda Warner, Local Director, organized the program for the students. This program gives students the opportunity to meet and network with attorneys from various professional backgrounds one-on-one for approximately 8 minutes each to discuss such topics as the mentor's current position and path after law school, and any words of advice they may have for job searching, career direction, establishing work/life balance, etc. The program was a great success last year, and this year's program drew even more interest – in all, 45 law students and one recently admitted attorney attended the event.

In assembling the panel of local attorneys to serve as mentors, Ms. Warner sought participation from attorneys who, together, represented a diverse cross-section of the profession in terms of work environment, sector and area of practice. WBASNY would like to thank the 30 local attorneys who took the time to serve mentors, including the following WBASNY members: Hon. Lenora Foote-Beavers, Hon. Lisa Bloch Rodwin, Beth Ann Bivona, Vicky-Marie Brunette, Michelle Bullock, Melissa Foti, Cheryl Green, Karen Kaczmariski, Marianne Mariano, Lindy Korn, Cheryl Meyers Buth, Tasha Moore, Margaret Murphy, Sarah Ranni, Karen Nicolson, Marybeth Priore, Bethany Solek, Mary Q. Wydysh, Anna Marie Richmond and Anne Rutland.



Hon. Lenora Foote-Beavers and County Attorney Cheryl Green



Mentoring taking place in the Baldy Seminar Room

Hon. Lisa Bloch Rodwin mentoring  
a UB law student



## MEMBERS ON THE MOVE

*Beginning with this issue we are starting a new series recognizing awards, accomplishments and promotions by Chapter members. For future issues, please email any awards or accomplishments that you would like WBASNY to recognize to Monica\_Wallace@nywd.uscourts.gov.*

**ELISHA J. BURKART, ESQ.**, has joined the law firm of Jaekle Fleischmann & Mugel, LLP, where she practices in the firm's Labor & Employment practice group.

**PAULINE COSTANZO WILL, ESQ.**, has been named a Partner at Watson, Bennett Colligan, Johnson & Schechter after 6 years with the company as a senior trial lawyer. Ms. Will, a trial attorney, practices in the areas of on trucking defense, toxic torts, products liability and other personal injury litigation.

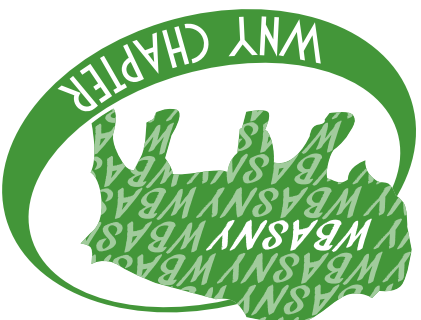
**NATALIE GRIGG, ESQ.**, has joined the law firm of Stephen Baum, PC where she practices bankruptcy litigation.

## WBASNY MEMBERS LEARN SELF-DEFENSE



On November 19, the Western New York Chapter of WBASNY hosted an evening of Self Defense Training at the Training Edge on Main Street in Williamsville. The focus was how to escape a situation where an attacker has forced his victim to the ground. Lesson number one: Never turn onto your stomach. When you are on your back, you have a chance to get up and get away – but on your stomach, you are completely vulnerable. The key to getting away is to keep moving, kick, and get off the ground as soon as possible. Participants also practiced using the element of surprise to flip the attacker so that he is on the ground.

This is the second year WBASNY has offered a self-defense seminar. The Training Edge specializes in Krav Maga, the official self defense system of the Israeli Defense Forces, and offers self defense training seminars throughout the year.

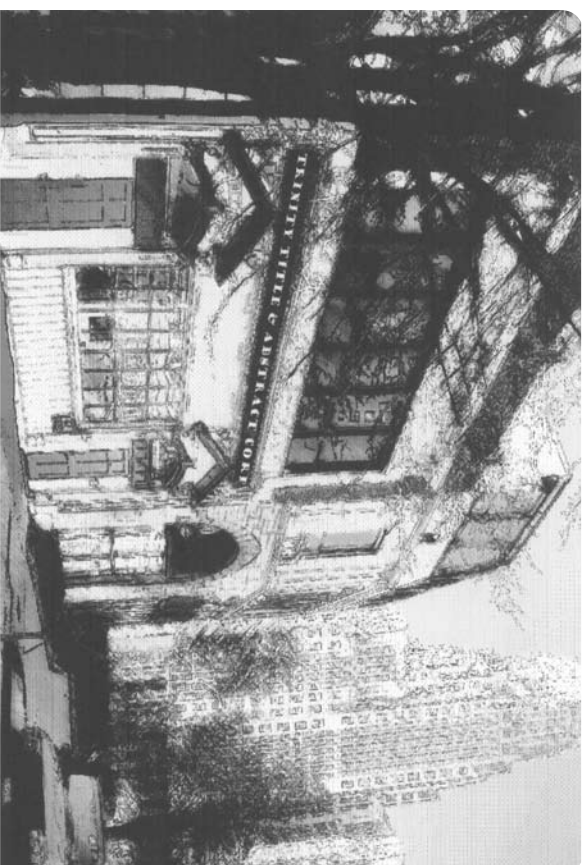


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