

# Year-End Committee Reports 2019-2020

## Access to Justice Issues Task Force

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### Advisory

The Advisory Committee was very active this WBASNY year, beginning with our dinner last summer, to welcome incoming President Hay. More than a dozen past WBASNY presidents turned out for an enjoyable evening in New York City with Deirdre.

Over the course of the year, Advisory met regularly by telephone and in person at the September, November and January Board meetings. Many Advisory members took on the responsibility of mentoring current WBASNY officers. Our telephone meetings centered on administrative challenges faced by WBASNY and by the Chapters. Early this spring, Advisory hosted a meeting with the WBASNY officers, and offered the assistance of the past presidents in administering the mission of the organization.

With the advent of the COVID crisis, Advisory continued to meet by phone to discuss progress in the initiatives the Committee undertook. Because we were not able to host our annual dinner this year, on May 6<sup>th</sup>, WBASNY hosted a “Virtual Toast to Joy”, in which more than 20 of us raised a glass (or a few!) to welcome Joy Thompson as the newest President of WBASNY.

Advisory joins all of you in wishing for health and safety for everyone, and a better year next year.

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### Amicus Curiae

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### Arbitration and Mediation

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### Awards

The WBASNY Awards Committee met three times for the 2019-20 year. The first meeting held on September 21, 2019, was an introductory meeting. At this meeting chapter representatives discussed award categories, guidelines and other related information. On November 16, 2019, another meeting was held and chapter representatives shared concerns, inclusive of information pertinent to the awards application process. The committee met for the final time on January 25, 2020 to cast votes to elect recipients for the various WBASNY award categories. The election resulted in a selection of well-qualified women, reflecting the integrity and extraordinary talent of the WBASNY membership. The following candidates were elected:

**The Joan L. Ellenbogen Founder’s Award - Hon. Linda Christopher (Rockland)**  
**Judith S. Kaye Access to Justice Award - Hon. Marguerite Grays (Queens)**  
**Marilyn R. Menge Award – Irene V. Villacci (Nassau) and Margery Weinroth (Suffolk)**  
**Doris S. Hoffman Outstanding New Lawyer Award - Danielle Menendez (Staten Island)**  
**Hanna S. Cohn *Pro Bono* Award – Anna Marie Richmond (Western New York)**  
**Stephanie E. Kupferman Juvenile Justice Award – Karen Riley (Orange/Sullivan)**

On April 18, 2020, a virtual WBASNY Board of Directors meeting was held, due to the COVID 19 pandemic. Under the circumstances, the WBASNY Awards Committee did not convene as customary. Since the 2020 WBASNY Convention was cancelled, it has been decided to present the 2020 awards at the upcoming 2021 WBASNY Convention. Undecided is the format of the

presentations, and if 2021 WBASNY Award recipients will be selected and presented at the upcoming convention or thereafter.

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## By-Laws

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### Chapters - Membership

The committee met at the first two board meetings. Our focus was on retaining members and growing our membership. We were coming up with different ideas and events to get younger members involved. We also discussed the possibility of automatic renewal of membership dues each year.

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### Children's Rights

Our Committee held two Committee meetings this year, before the WBASNY Board meetings on September 22, 2019 and January 25, 2020.

Our Committee drafted a new legislative proposal to amend the Mental Hygiene Law to address the problem pointed out by Justice Gerry, Presiding Justice of the 3rd Department, in *Mental Hygiene Legal Serv. on Behalf of Olivia CC. v. Delaney*, 176 A.D.3d 24 (N.Y. App. Div. 2019). In that case, a child was held in an emergency room without a place to go for an extended period. The proposal was submitted to the Legislation Committee with a justification memorandum for the November 16th Board meeting. Submission of the proposal was deferred upon our recommendation pending the outcome of another proposal already introduced to address this issue (S. 6752).

Our Committee drafted written testimony which was approved by the Executive Committee and accepted by the Assembly as WBASNY's testimony at an Assembly hearing on to be conducted by Assemblyman Dinowitz dealing with children's issues on October 24<sup>th</sup>.

Co-Chair Jo Ann Douglas conveyed comments of the Committee on the Court-Merger proposal of the Chief Judge in time for the November Board meeting.

We notified the Legislation Committee of our support for A.2912A/S.02988 requiring HPV immunizations in schools, with recommendations for amending the definition of schools.

In February, we recommended to the Amicus Committee that WBASNY sign on to an Amicus brief to be filed in the U.S. Court of Appeals for the Fourth Circuit in ***Doe v. Fairfax County School Board***. Co-Chair Susan Kaufman participated in the Executive Committee call at which the Executive Committee voted to participate in the Amicus on this case. Susan spoke in favor of WBASNY's participation on the call, saying that this is an important question requiring clarification that goes to the level of information that triggers a school district's duty to investigate sexual harassment allegations.

We reviewed proposals circulated by the Family Court Advisory and Rules Committee of the New York State Courts. We notified the Legislation Committee that we support a proposal that requires records checking in custody determinations in family offense proceedings, as well as a measure that authorizes ACDs in family offense proceedings. However, we did not support a proposal about child support deviation factors in joint or shared custody situations because the language in this proposal is so vague that it will likely lead to much more litigation or will be ignored as a deviation factor.

In February, we drafted a letter to the Governor asking him not to sign A.7371/S.5349, a companion bill to A.6296A/S.501-B which requires manufacturers to notify sellers and the public of chemical hazards and prohibits sales of products containing these chemicals as of 2023. A.7371/S.5349 exempts "trace contaminants" from the protections of the first bill because the definition of trace chemicals is much too broad. Co-Chair Susan Kaufman participated in the

Executive Committee call on the letter. The letter was finalized and approved by the Executive Committee and submitted to the Governor.

In March, we notified the Legislation Committee that we oppose Dinowitz A.9888 because it seems to require judges to justify their reasons for deviating from the forensic evaluator's recommendation. This violates case law that a judge has discretion to make decisions on custody and visitation without following the forensic recommendation. The bill also duplicates the work of a Committee already established in the 1st and 2d Departments to evaluate qualifications of forensic evaluators.

In March, we informed the Legislation Committee that we opposed Part RR of the Governor's Budget bill on access to civil orders of protection. While we want to protect DV victims, this bill may encourage groundless allegations of domestic violence as a negotiating tool in litigation by the abuser by authorizing courts to issue orders of protection without even an allegation of a family offense. We were pleased that this bill was opposed by WBASNY and omitted from the Governor's final budget proposal. We also informed the Legislation Committee that we supported four proposals from the Governor's budget bill relating to children which we had been asked to review.

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## **Collaborative Law**

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### **Continuing Legal Education**

The Continuing Legal Education Committee is comprised of the following Co-Chairpersons: Lisa Noroian, Esq., Meryl Neuren, Esq., Eileen Malunowicz, Esq., and Alla Allison Ageyeva, Esq.

The Committee has reviewed proposed CLE programs for WBASNY and its chapters. Each co-chair has been assigned to multiple WBASNY chapters. In reviewing programs, the co-chairs have determined whether the programs met the requirements for CLE credit and, if so, have calculated the amount of and type of appropriate CLE credit to be approved. This process has included checking that required documentation was present for each program, which helps ensure that WBASNY maintains its status as an accredited CLE provider. When needed or requested, the Committee has provided guidance and assistance to WBASNY and its chapters regarding CLE rules, individual program requirements, and WBASNY CLE policies. The Committee has worked closely with Linda Chiaverini and WBASNY headquarters.

From June 1, 2019 until present, the Committee has approved 24 CLE programs. The programs reviewed contained credits in all categories of CLE.

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## **Convention Permanent**

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### **Convention 2020**

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## **Criminal Law**

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## Diversity

The Diversity Committee met once this year with lofty goals. Initially were interested in putting together two potential panels. One was on the trajectory to the bench and we had spoken to two Appellate Division justices who agreed to participate. The second panel would have been around the issue of meeting the needs of a diverse client.

Our Committee met on November 16, 2019 with several chapter representatives and were very enthusiastic about the panels and plans in the months ahead. A third idea was suggested to the committee was on the politics and process of running for political office. We also discussed celebrating April Diversity Month and making it a yearly event for WBASNY. The idea was to suggest 3 to 4 different activities each chapter could participate locally in order to celebrate diversity – whether through food, museum trips, dance, etc.

Unfortunately, due to health issues with both diversity co-chairs which ranged from November until March and the current pandemic, we were unable to move forward with our plans. We hope that these ideas will go into action within the coming year.

The Committee also worked with the Amicus Curiae Committee to help decide if the WBASNY would participate in the amicus of the following case: Francis v. Kings Park Manor, which highlighted the issue of whether a landlord has an obligation under the Fair Housing Act, the U.S. Constitution, and related regulations to take action when they have actual knowledge that a tenant in the building was being severely harassed by another. The Committee reviewed the case and notes and engaged in discussion with the chair of the Amicus Curiae Committee. The Committee was present at the EC meeting which took place telephonically on May 5, 2020 where a motion was passed to participate in the amicus. It should be noted that the Diversity Committee co-chair, Raquel Miranda, had to recuse herself from participating in the Francis v. Kings Park Manor, as there was a conflict between her employment and participation.

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## Domestic Violence

The Wbasny Domestic Violence Committee considered many important bills during 2019/2020. It should be noted that the 2019 legislative session ended with passage of some important domestic violence bills that WBASNY has supported for several years. The nuisance ordinance bill (A2665A/S4657A) ensures that domestic violence victims are able to call for police or emergency medical assistance without fear of being evicted or that their landlord will take action to remove them from their home. The Domestic Violence Victim Rights Notification bill (A7395/S6158) simplifies the language in the victims' rights notice, expands and updates the information provided. \

Another significant development is the Domestic Violence Survivors Justice Act, which was signed by Governor Cuomo and came into force on August 12, 2019. This new law permits judges to consider alternate sentences for survivors for whom their abuse led to their prosecution. It also permits some survivors currently serving lengthy prison sentences to apply for resentencing.\

The Domestic Violence Committee reviewed the VAWA Reauthorization Act, the Office of Court Administration's Court Merger/Court Simplification Proposal, and various bills sent from the Governor's Office. We reviewed other legislation including, but not limited to, a human trafficking bill, S4981/A6983, the Start Act, which "Relates to proceedings to vacate conviction for offenses resulting from sex trafficking, labor trafficking and compelling prostitution and provides for confidentiality of records of such proceedings." We also reviewed Office of Court Administration legislative proposals involving family offenses and child support. We reviewed forensic report legislation and legislation that would include acts of domestic violence in the criteria the court shall consider in determining the equitable distribution of property during divorce proceedings. We discussed the procedures for requesting address confidentiality for domestic violence victims in the courts, and the impact of presumptive ADR in the courts as it impacts upon DV victims.

In light of the corona virus pandemic, we provided the following information:

#### RESOURCES FOR SURVIVORS:

- Remember that you are not alone and supports remain available to you
- The National Domestic Violence Hotline is 24/7, confidential and free:1-800-799-7233
- The National Sexual Assault Hotline is 24/7, confidential and free: 800.656.HOPE (4673)
- The StrongHearts Native Helpline for domestic/sexual violence is available 7am-10pm CT, confidential, and specifically for Native communities:1-844-762-8483
- The Trans LifeLine for peer support for trans folks 9am-3am CT:1-877-565-8860 This hotline is staffed exclusively by trans operators and is the only crisis line with a policy against non-consensual active rescue.
- The Deaf Hotline is available 24/7 through video phone (1-855-812-1001), email and chat for Deaf, DeafBlind, DeafDisabled survivors.
- National Parent Helpline Monday -Friday 12pm-9am CT emotional support and advocacy for parents:1-855-2736

Here are a few suggestions for survivors that may make this uncertain time feel a little bit safer:

Create a safety plan.

A safety plan is a personalized, practical plan that includes ways to remain safe while in a relationship, planning to leave, or after you leave. The National Domestic Violence Hotline can help create a safety for anyone who is concerned about their own safety or the safety of someone else.

You and your partner may be told by either or both of your employers to work remotely to limit social interaction. Having a safety plan laid out can help you to protect yourself during this stressful time. You can learn more about safety plans here, and you can find an interactive guide to safety planning here.

Because there may be limited shelter availability due to COVID-19, consider alternatives such as staying with family or friends, staying in motels, or sleeping in your vehicle. Be extra mindful of good hygiene practices if you're leaving as well – wash your hands regularly, avoid touching your face, minimize contact with surfaces that other people have had contact with, etc.

Reach out for help.

While people are encouraged to stay at home, you may feel isolated from your friends and family. Even if you are isolated, try to maintain social connections online or over the phone, if it is safe to do so, and try to stick to your daily routines as much as possible. See the phone numbers above for assistance.

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#### **Education / Title IX**

*Developed Mission Statement* – The Title IX/Education Committee is a substantive Committee of the Women's Bar Association of the State of New York. It seeks to promote awareness and involvement in Title IX issues that affect the right to an education free of discrimination. The Committee is focused on the currently evolving Title IX landscape and in particular, developments with the Office of Civil Rights' Title IX regulations and their long-term implications. The Committee is also concerned with the implementation of Title IX in K-12. In furtherance of this goal, it will review legislative and non-legislative issues in this field. The Committee welcomes those who have an interest or expertise in this area of law to serve as Committee members. The Committee is interested in presenting CLEs, hosting speakers, and also collaborating with other Committees.

*Encouraged WBASNY to support the ERA* – Ongoing, including inviting national expert Wendy Murphy to speak at first Committee meeting in January.

*Develop Convention CLE on the issue of violence against women as a hate crime and why it is important* - not developed due to pandemic state of emergency.

*Develop WBASNY's position on Title IX – Working on draft statement in response to Trump Administration regulations that would go into effect in August 202 to be circulated to the board the week of May 18th. Coordinating with the national Title IX advocates in possible responses to the regulations.*

*Article for Newsletter – To be submitted for 5/15 deadline, “Status of Final Title IX Regulations Under the Trump Administration.”*

*State Legislation - One relevant piece identified in the Governor's 2020 Budget, a proposal to support safe and healthy nightlife on campuses, was included in the April budget: <https://www.budget.ny.gov/pubs/archive/fy21/exec/agencies/appropdata/PreventionofDomesticViolenceOfficeforthe.html>.*

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## **Elder Law Trusts & Estates**

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### **Environmental Law**

The Environmental Law Committee held committee meetings at the WBASNY meetings in New York City and Syracuse. The committee discussed several climate change-related items, including an initiative to help WBASNY members reduce their carbon footprints by reducing their meat consumption. Given current meat shortages and the fact that some members do not want to eat meat right now, the committee will soon be starting that initiative. As a first step, we will provide some of our favorite vegetarian recipes to the WBASNY membership as we educate the members on greenhouse gas emissions associated with various types of food.

The committee made plans to hold a side event for the United Nation's annual Commission on the Status of Women conference in New York City, but the conference was cancelled due to the coronavirus pandemic. Our committee and the International Women's Rights Committee had planned to co-sponsor a side event titled “Women and the Environment: Empowering Action Through Knowledge and Legal Tools.” The event was to cover two themes. The first was “What You Don't Know Can Hurt You and the Environment.” This topic would have reviewed the inadequacy of laws and legal tools to assure chemicals and pollutants are safe for women and children, do not harm the environment, and do not contribute to climate change. The second theme was “Knowledge and Legal Tools to Protect Yourself and Fight for the Planet.” This topic would have reviewed laws and other legal tools that enhance knowledge about the presence and effects of chemicals and pollutants and that empower women to protect health, safeguard the environment, and reduce/eliminate greenhouse gas emissions.

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### **Equal Opportunity in the Profession**

The Equal Opportunity in the Legal Profession Committee (“Committee”) was proud to facilitate **WBASNY's Celebration of Women's Suffrage in Seneca Falls** on November 15, 2019. WBASNY members gathered in Seneca Falls to celebrate the upcoming Centennial of the passing of the 19<sup>th</sup> Amendment, which protects women's right to vote. The event included a visit to the Women's Rights National Historic Park and an energetic and informative presentation by Ranger Emily Welch. In 1848 Elizabeth Cady Stanton and four other women invited the public to the First Women's Rights Convention (held on the site of the National Historic Park) to discuss expanding the role of women in America. At the end of the two days, 100 people made a public commitment to work together to improve women's quality of life. WBASNY's celebration culminated with a dinner presentation by Dr. Sally Roesch Wagner on Women as Presidential Candidates in 1872 and 1884. The event was the result of more than two years of planning by the Committee and its dedicated Seneca Falls subcommittee. In addition to WBASNY, the event was sponsored by sister chapters Central, Finger Lakes, GRAWA, Queens and Western.

In November, the Committee was able to distribute to its members a summary of the survey which was administered by the 2018-2019 Committee. The survey included questions about

wage equality, harassment and other barriers facing female attorneys in the workplace. The Committee reviewed the results and discussed the themes during the January 2020 meeting. The Committee discussed writing a report summarizing the results of the survey to distribute to WBASNY as a whole, as well as putting together resources suggested by survey participants in response to various questions and suggestions for how WBASNY can address the issues raised by participants. The Committee plans to have a report of the findings for WBASNY in the coming year.

Throughout the year, the Committee has been collecting data from chapters about current and former mentoring programs and events. During the September, November and January meetings, the Committee discussed mentoring programs and heard from members about the successes and hardships encountered by local chapters with their mentoring programs. Following discussions and insight from members, the Committee developed a summary of the types of mentorship programs along with some frequently asked questions to help chapters set up their own mentoring programs or to help refine their current mentoring programs. The Committee plans to distribute this information to chapter presidents and plans to have this information be accessible on WBASNY's website.

The Committee has also been working with the Equal Rights Amendment Committee throughout the year to support New York State's passage of the Equal Rights Amendment. The Committee has discussed two versions of the bill proposed by New York State and the benefits and downsides of each version of the bill.

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## **ERA/Women's Civil Rights**

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## **Family and Matrimonial Law**

The Family and Matrimonial Committee had another productive year of impacting important legislation affecting families in New York State. We submitted position statements on forensics, domestic violence factor in equitable distribution matters, surrogacy, and adoptees' rights, just to name a few.

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## **Finance**

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## **Foundation**

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## **Fundraising**

The WBASNY Fundraising Committee promoted its annual #WBASNYGives Campaign (for its second year) to raise funds to support WBASNY's mission and impact in legislation, lobbying efforts, networking, free CLE opportunities, member benefits and committee state-wide impacts. The Campaign ran throughout the Fall Season 2019 through December 31, 2019. The Campaign encourages each of the approximate 4,300 WBASNY members to contribute just \$5.00 each year.

The Fundraising Committee is proud to report **\$3,666.00** (from only 58 donors) was raised in this year's #WBASNYGives Campaign as reported at the January 2020 Board of Directors Meeting.

We strongly suggest the #WBASNYGives Campaign continue each year and that the Campaign commence in June of 2020 for the upcoming year.

## **Fundraising Initiatives for 2020**

The Fundraising Committee is also tasked with assisting local Chapters with fundraising essentials, ideas and event opportunities which may benefit WBASNY as well as participating

Chapters. Most recently, our Committee was asked to review and comment on the below WBASNY fundraising initiatives.

The following Chapters submitted comments and questions regarding the proposed fundraising initiatives: **CNYWBA, GRAWA, Mid-Hudson, Nassau, NYWBA, Thousand Islands and WWBA.**

### **Corporate Sponsorship Initiative**

The corporate sponsor program would enlist corporate sponsors (i.e. banks, law firms, stenographer companies, other corporations) to donate funds to WBASNY, and in return, the sponsor would be promoted and recognized by WBASNY. This would allow sponsors to also promote WBASNY in the community at-large. It has been proposed to the Committee that the corporate sponsorship program could also benefit chapters who secure and enlist sponsors by providing a percentage (for example, ~25%) of all sponsorship donations directed to WBASNY to the chapter who secured the corporate sponsor. This would further motivate each chapter to participate in fundraising efforts each year (no matter the size of the chapter).

The initiative would include identifying:

- a. Who would qualify as a corporate sponsor;
- b. What benefits a corporate sponsor would receive (i.e. recognition on an annual basis on the WBASNY website?), and whether we can incorporate the different types of benefits and sponsors already listed in our sponsorship materials (click on: <https://cld.bz/bookdata/x0qwrwe/basic-html/page-1.html#>) and/or whether said materials should be updated;
- c. Whether a sponsors' reception should be scheduled and hosted by WBASNY each year to thank our sponsors (locations to vary; based on sponsor locations or chapter locations?).

### **Chapter Comments:**

1. Underlying idea would be to tap into funds from large corporate sponsors to benefit WBASNY as a whole and Chapters individually
2. May allow Chapters to retain more of each member's fee if WBASNY receives substantial sources of sponsorships
3. Have a broad definition of who would qualify as a corporate sponsor
4. Have a tiered system with associated benefits including different levels of advertising on WBASNY website, newsletter, e-newsletter, board meeting materials/advertisements
5. Corporate Sponsor receive billing on the website/newsletter if the chapter which secured the sponsorship to increase exposure
6. Have a corporate sponsor reception, speaking and advertising opportunities, breakfasts or lunches– perhaps at Board Meetings
7. Wait to have reception until program is established
8. If initiative approved, there should only be one corporate sponsor per geographic area, but it makes sense for local chapters to secure corporate sponsors and then give a certain percentage to WBASNY if any sponsorship funds are collected
9. Concern of losing local sponsors to WBASNY fundraising efforts; convention fundraising efforts could subsidize WBASNY activities throughout the year instead
10. Recent dues increase and finance allocation concerns regarding funds raised by Committee, if any
11. Will this create animosity between Chapters competing for sponsorships?
12. Hostility between Chapters and co-mingling concerns regarding pre-existing local chapter sponsors- will they give less to local chapter if involved with corporate sponsorship program?

### **GroupRaise New York – booking fundraisers at select restaurants with percentage of funds raised given back to WBASNY Chapters**

1. Questions regarding whether our Chapters can take advantage of this opportunity regarding their non-profit designation – Committee to research and provide feedback
2. Is this opportunity “geographically representative”?
3. Logistical questions such as cost upfront, etc.

4. New and smaller restaurants could be good targets for this proposal.

#### **Film Screening- prior to first day of Board Meeting for minimal ticket price**

1. How successful is the dinner the night prior to the Board Meeting- may be another cost to ask for after travel and lodging expenses?
2. Have a related sponsor or speaker at the screening
3. Another idea is a “speed networking” event with a raffle at the end
4. Some Chapters are unsure regarding attendance given travel timeframes to Board Meetings

#### **Miscellaneous Comments/Questions**

1. Local chapters have requested more assistance with sponsoring local CLEs in addition to retaining a percentage of funds raised.
2. How are funds raised by the Fundraising Committee earmarked by WBASNY?
3. How are the WBASNY sponsorship materials circulated to the Chapters? Do they access same through the WBASNY website or are they mentioned at leadership training?

The above information was submitted to the Board for the January 2020 Board of Directors Meeting. Continuing Board input is requested to assist the Committee in focusing its goals, tasks and initiatives in the upcoming year given the unprecedented times resulting from COVID-19.

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### **Health Issues & Reproductive Rights**

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#### **Human Trafficking**

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#### **Immigration**

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#### **Intellectual Property**

The Intellectual Property Committee had another successful year. We had a number of conference calls with members of the committee and a meeting at a Board meeting. There were also a number of webinars on IP topics including IP considerations during divorce. Members seek to use the Committee: as a referral network, to increase their IP network of women, to learn about current issues in IP (both regulatory and court developments), as support network for IP questions, and to educate members of WBASNY about the interplay of IP in their practice. Members of the committee are patent, copyright and trademark attorneys practicing in-house, in small or solo firms or mid-size firms. The committee is looking forward to the coming year.

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#### **International Women’s Rights**

WBASNY’s status as an NGO in association with the UN Department of Public Information was renewed for the 2019/2020 filing period by virtue of WBASNY’s 2018 NGO filing. The International Women’s Rights Committee (the Committee) is currently preparing to submit a quadrennial report to renew WBASNY’s status as an NGO affiliated with the UN ECOSOC (Economic and Social Council). As WBASNY’s quadrennial report to the UN is due in the Spring of 2021, the committee is currently gathering information pertaining to WBASNY Chapter and Committee activity that relates to WBASNY’s NGO Special Consultative Status with the UN.

On December 4, 2019, WBASNY co-sponsored an event with the League of Women’s Voters for New York State which was held at the UN New York Headquarters. The event was the United Nations’ Briefing on the Environment and speakers addressed both impediments to and strategies for achieving Sustainable Development Goal 13, which urges action to combat climate change and its impacts. In attendance were WBASNY President Deidre Hay, WBASNY

Recording Secretary and International Women’s Rights Committee Liaison Dawn Lott, WBASNY Environmental Committee Co-Chair Susan Brock and International Women’s Rights Committee Co-Chairs Maria Cortese and Fay Parris.

On January 31, 2020, the Committee facilitated a meeting between WBASNY, Reise Juristinnen Schweiz-Femmes Juristes Suisse, the European Women’s Lawyers Association and JAMS New York at the JAMS New York Resolution Center in the New York Times Building. In total, there were roughly 35 honored guests who gathered to discuss the power of collaboration to advance the status of women in Switzerland and the United States. Afterwards, Committee Co-Chair Maria Cortese hosted a dinner at her home in honor of meeting attendees. The Committee plans to continue important dialogue with all participating organizations and accordingly, will be planning a Zoom webinar to address organizational best practices in advancing the status of women. The Committee also plans to host a Zoom Conference with women’s bar associations overseas to share experiences and advice pertaining to navigating the new landscape that the health pandemic presents.

In celebration of the 25<sup>th</sup> Anniversary of the Beijing Declaration Platform for Action, the Committee planned two events for the 64<sup>th</sup> Session of the Commission on the Status of Women (CSW 64), which was scheduled to convene from 9-20 March. In view of the pandemic, all CSW64 events were cancelled. The following are events which the Committee scheduled for CSW64 and which will now be re-scheduled as Zoom events: 1) “*What Works? Progress and Challenges-25 Years Since Beijing*”, an event co-sponsored with the United Nations Association, New York, pertaining to states’ best practices in advancing the status of women over the past 25 years and best practices in advocacy and 2) An event to be co-sponsored with the Environmental Law Committee. WBASNY also co-sponsored two CSW64 parallel events with the Federal Bar Association, SDNY Chapter; Federal Bar Association International Law Section; National Association of Women Judges and International Association of Women Judges which were cancelled in view of the pandemic.

The Committee is happy to report that a record high of 18 WBASNY members registered for UN ground passes to enter the UN during the CSW64. The maximum number of NGO representatives permitted to register is 20. While unfortunately these registered persons were unable attend CSW64 events, it demonstrates that the CSW is of great importance to WBASNY members.

In addition to rescheduled CSW64 events, the Committee is planning virtual programming to address the following issues: 1) Safety and Mental Health Issues Facing Women and Girls in view of the current health pandemic and 2) Addressing the issue of Caste and Human Rights Violations in India and the impact of Caste on women.

## JALBCA

### Judiciary/Courts

The Judiciary/Courts Committee screens candidates for the New York Court of Appeals (COA). If things go according to plan, our next screening will be in 2021 for Judge Fahey’s seat.

Here is a summary of the current judges’ terms in ascending order. The bolding denotes the year in which each judge’s term ends.

COA Judge	Year of Birth	Date App’ted	Reaches Age 70	14-year term ends
Fahey, Hon. Eugene	1951	02/09/2015	<b>2021</b>	2029
DiFiore, Hon. Janet	1955	01/21/2016	<b>2025</b>	2030
Stein, Hon. Leslie	1956	02/09/2015	<b>2026</b>	2029
Rivera, Hon. Jenny	1960	02/11/2013	2030	<b>2027</b>
Garcia, Hon. Michael	1961	01/26/2016	2031	<b>2030</b>
Feinman, Hon. Paul	1960	06/21/2017	<b>2030</b>	2031

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## **Labor and Employment Law**

The WBASNY Labor & Employment Law Committee had a successful year despite COVID-19 related challenges. Though the Committee was able to meet only once in person (at the September meeting in NYC), it communicated throughout the year via e-mail, was planning on meeting in person in March (but that was derailed due to COVID-19), and is currently discussing a potential summer Zoom meeting.

The Committee addressed and weighed in on several important pieces of L&E- related legislation throughout the year, discussed current trends in L&E, and has been looking at various COVID-19 related L&E issues. Throughout the year, the Committee discussed opportunities to present a CLE, and we are very excited that it will be presenting a CLE on June 11th regarding: "Employee Leave in the COVID-19 ERA." Multiple of our Committee members will be speaking on the CLE panel. The CLE will explore the leave options available to employees.

The Committee has approximately 25 members, most of whom practice in this area and are actively involved with discussions and meetings.

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## **Legislation**

### **The Four Legislative Priorities for 2019-2020:**

1. Equal Rights Amendment
2. Child Parent Security Act
3. Oppose the "Forensics Bill"
4. Improved Regulation of Sexual Trafficking

### **Working Group:**

Child Parent Security Act

### **CLE:**

ERA

## **FY 2021 Governor Andrew M. Cuomo Budget Legislation**

Governor Andrew M. Cuomo's 2020 State of the State Proposals were reviewed prior to the release of the FY 2021 Budget Legislation.

The Legislation Committee has reviewed and sought feedback from WBASNY committees and members-at-large, the following FY 2021 Governor's Budget Legislation:

- \*Constitutionally Guarantee Equal Rights
- \*Legalize Gestational Surrogacy
- \*Continue Implementation of Raise the Age
- \*Close the Rape Intoxication Loophole
- \*Strengthen Protections for Domestic Violence Victims Seeking a Divorce
- \*Expand Access to Civil Orders of Protection in Family Courts
- \*Provide a Market-Rate of Interest on Court Judgments
- \*Remove Guns from Domestic Abusers
- \*Disqualify Individuals from Gun Ownership if They Commit Crime Out of the State
- \*Expand the Sexual Assault Forensic Examiner Program
- \*The "Pink Tax"
- \*Authorize the Transfer of Adolescent Offenders
- \*Investigation of Online Sexual Exploitation of Minors
- \*Family First Prevention Services Act Requirements Compliance
- \*Guaranteed Access to Sick Leave

- \*Establish a Domestic Violence Misdemeanor
- \*Court Merger

The Legislation Committee Reviewed portions of the 30-day Amendment's to the Governor's Budget Proposal.

The Legislation Committee has reviewed and sought feedback from WBASNY committees and members-at-large regarding the following bills, legislation and proposed legislation:

\*A.5308B/S.6549 Prohibits Employers from seeking Salary History

\*A.5612/S.4006 An Act to amend the EPTL in relation to payment and distribution damages in wrongful death actions

\*S.6050/A.1967 An Act to amend the domestic relations law, in relation to including acts of domestic violence in the criteria the court shall consider in determining the equitable disposition of property during divorce proceedings

\*S.298A/A.2912 An Act to amend the public health law, in relation to requiring immunization against human papillomavirus (HPV) to ensure that immunization against HPV be administered to children in New York State in the same manner and according to the same time schedule that other immunizations are currently administered

\*Proposed Amendment to Mental Hygiene Law by Children's Rights Committee regarding treatment of children with developmental disabilities

\*S.6752 Amending the Mental Hygiene Law in relation to authorizing the office of mental health and the office for people with developmental disabilities

\*S.4062 Relates to forfeiture of a beneficiary's right to benefits upon conviction of a domestic violence offence

\*S.6736 Relates to factoring domestic violence convictions into family court decisions regarding visitation, custody and parental rights

\*S.6782 Relates to equitable distribution of marital property and awards of spousal support for persons convicted of certain offenses

\*S.6252 Regarding transitional care for individuals with developmental disabilities

\*A.5621/S.4686 – 2019 Forensics Bills

\*Judicial Pay Raise

\*S.4980/A.6983 – START Act – Survivors of Trafficking Attaining Relief Together Act

\*OCA Bill - Family Court Advisory and Rules Committee New 2020 Legislative Proposals: Family Offenses and Child Support in Shared + Joint Custody Cases

\*A.6296A/S.591-B Legislation to protect children from chemical hazards in children's products such as clothing, car seats and toys

\*A.7371/S.5349 which exempts "trace contaminants" from chemical hazards in children's products such as clothing, car seats and toys

\*S.7717 – Senator Liz Kruger Surrogacy Bill

\*A.9888 – Relates to court ordered forensic evaluations involving child custody and visitation and establishes training programs for such forensic evaluators

\*Independent Immigration Courts Submission

**Press Releases/Memo's on Legislation:**

- \* WBASNY's response to all of the the FY 2021 Governor's Budget Legislation and Stand Alone Bills as mentioned above in the "**FY 2021 Governor Andrew M. Cuomo Budget Legislation**" section
- \*ERA
- \*Pay Equity
- \*Treatment of Migrant Children – Children's Rights Memo – Border Crisis
- \*Revenge Porn
- \*Legislation allowing victims of domestic violence to terminate certain contracts, without penalty, provided the victim provide certain proof, if they are forced to flee from the perpetrator of their abuse
- \*Nuisance Ordinance – Right to Call Police and Emergency Responders
- \*Legislation Enhancing Workplace Harassment Protections
- \*Adoptee Rights

**Lobby Day was cancelled due to COVID-19**

The Legislation Committee held weekly calls during the budget process. The Legislation Committee Co-Chairs also held weekly calls with the lobbyists. COVID-19 presented many issues of concern to WBASNY including an increase in domestic violence which includes child abuse. These issues have been discussed on the calls and the Domestic Violence Committee Co-Chairs have been kept informed of new developments.

All of the above work was conducted with the Lobbyists who worked tirelessly and continue to do so on behalf of WBASNY.

Attached is the WBASNY Legislative Tracking Report as of May 8, 2020 which includes a list of 1019 bills.

**LGBT**

**Long Range Planning**

**Long Range Planning**

**Newsletter**

We've had another successful year with the Newsletter Committee. Rebekah worked with Linda and Deirdre to produce quality Newsletter editions (with one more in progress), which included regular Chapter Notes and Committee Corners, as well as substantive articles. Once again, we found that our initial advertisement for substantive articles provided us with enough articles to last the entire year. Hopefully this momentum will continue. In the coming year, we're hoping to schedule each Newsletter just after the WBASNY meetings, with a final edition near Convention-time.

**Next Chapter – Career Transition**

The committee was formed in September 2017. We were formed to provide education and information to attorneys entering the latter part of life, including making changes within the profession, outside the profession, downsizing a practice, retirement, transition to new challenges, returning to activism, mentoring. These changes could be voluntary or forced upon an individual. We also decided to include information about the financial impact of each of these occurrences.

The first committee meeting this year was held on 9/22/19. Co-chair Diane Dwyer presided. Co-chair Joan McNichols was unable to attend. Three members attended. The group engaged in a

lively discussion about the goals and objectives of the committee, which is to provide information and empower women to handle careers in transition. We learned that the Westchester Chapter has a local Women in Transition committee that holds First Friday Cafes to assist members. One member offered to provide a financial seminar. The concept of “Networthing” rather than Networking, was discussed. Two-way mentoring was also discussed. Further information will be sent to all chapter presidents to encourage membership on the committee.

On November 16, 2019 the chairpersons were unable to attend the WBASNY meeting. In December 2019 Chairperson Diane M. Dwyer and member Deborah Farber-Kaiser had several conversations and emails regarding a CLE presentation for the 2020 WBASNY convention. After discussions, Ms. Farber-Kaiser submitted two separate proposals for CLEs to the Convention CLE committee.

A meeting was held on January 25, 2020. There was interest expressed by several members in the committee, but not everyone who was interested could attend the meeting. There were 5 WBASNY members in attendance in addition to chair Diane M. Dwyer. The members present reviewed the goals and objectives of the Committee. As it is an ambitious project, it was determined that the members would review the various aspects of the committee and in March we would set forth a plan for the upcoming year. It was also determined that an email would be sent out to those WBASNY members who previously expressed an interest in the committee to clarify what specific information, goals, CLEs they would be most interested in.

There was no meeting in March, as the WBASNY meeting was cancelled due to the pandemic. A conference call was not possible as the membership of the committee is apparently fluid. Some chapters are sending someone to only one meeting per year. We have not had a cohesive group formed yet but have received numerous inquiries and expressions of interest. Plans are underway to have greater contact with chapter presidents before the first WBASNY meeting of the 2020-21 year. There will also be attempts to contact those WBASNY members who previously expressed an interest in this committee. Since the interested members are also very involved in other WBASNY committees, and attendance at our meetings have conflicted with members’ other obligations, it may be more productive to hold meetings via conference call/ZOOM before each WBASNY meeting so that the members can attend to their WBASNY obligations at the actual meetings.

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## **Nominations**

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### **Nominations Task Force**

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### **Press and Public Relations**

The Press and Public Relations committee worked with the executive board to streamline the process of communicating with members and non-members on WBASNY’s behalf. We worked to increase our profile on the Facebook and Twitter platforms, and have every intention of continuing to grow with these mediums.

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## **Professional Ethics**

The Professional Ethics Committee welcomed Natoya McGhie as Co-chair.

As is the case every year, we fielded numerous calls to the Ethics Hotline for our members. Although we do not give legal advice, we provide our members assistance and guidance to focus on the issue at hand while directing them to the pertinent NY Rules of Professional Conduct; the NY Rules of Court; bar association ethics opinions and precedent.

We also developed and presented two programs at the Chapter level and were slated to present at convention and for the Bronx Women’s Bar. The latter programs were cancelled due to COVID.

## WWBA

Natoya McGhie attended the WWBA Program which was cosponsored with the White Plains Bar Association. Deborah A. Scalise coordinated and jointly presented the program with Lisa M. Bluestein, Esq., Angela Morcone Giannini, Esq., and Lucia Chiocchio, Esq. Notably Angela is the current President of the WWBA and Lisa, Lucia and Deborah are Past Presidents of the WWBA.

The Program was entitled Ethics Update 2020 – Ethics Tune-Up: A Refresher on Retainer Agreements and Fee Sharing and was presented on February 5, 2020. It provided 1.0 CLE Credit in Professional Practice, 1.0 CLE Credit in Ethics and Professionalism.

Using a hypothetical scenario acted out by the Panelists, this Panel provided a practical overview of the basic information (including Client Information Forms, Retainers and Fee Arbitration Forms) which will help the attorney establish the parameters of the scope of employment, fees and expenses. The panel will also explore preparation that is necessary in the event the client disputes your fees leading to a Part 137 Arbitration and/or reports you to the Grievance Committee.

We would have presented this program at Convention.

## SIWBA

Deborah Scalise and the Hon. Barbara Panepinto presented a 2 hour 2 credit CLE entitled “Ethics Update 2020” for the SIWBA on March 12, 2020

### Description

Using hypotheticals, this program provided an overview of hot topics in the world of ethics and professionalism as well as a review of the grievance process. Among the issues to be discussed are changes to the court rules regarding CLE, the NY Rules of Professional Conduct, and the Rules on Disciplinary procedures; civility; false evidence and false testimony; and personal issues that can result in a grievance. In addition, there was an overview on ethics research and resources, plus the best practices in dealing with the grievance Committee as well as when to seek the help of the Lawyers Assistance Program.

On a personal note, I am happy to report that after twenty years as Chair or Co-chair of this Committee, I am turning the reins to someone new to be determined who will help Natoya who will be terrific and will now develop a new hotline procedure as well as the CLE Programs.

I was proud to be entrusted with and serve as WBASNY’s Ethics and Professionalism Chair and will always be available to help should the need arise.

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## **Technology**

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### **Wellness**

The wellness committee drafted a letter to support the removal of mental health questions from admission applications to practice in New York State. The questions were ultimately removed. An article was also drafted and posted to WBASNY’s website providing wellness information and resources for members during the COVID 19 crisis and associated social isolation. We also were prepared to present an ethics CLE at convention that addressed wellness issues, which was unfortunately cancelled. All in all we still had a pretty good year and are very excited for a productive and healthy 2020-2021!! Stay well!

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### **Women Judges**

The Women Judges Committee met at all in-person WBASNY Board meetings this year and also corresponded via email.

This year we consulted with various WBASNY committees on issues affecting judges and the courts, including judicial compensation/salaries, court merger/consolidation, and the creation of an independent immigration court.

The Women Judges Committee is also working on a "Welcome Book" for new judges that will include an invitation to join our committee, the top 10 ethics pitfalls and other resources for judges.