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INSIDE



# Westchester Women's Bar Association

A Chapter of the Women's Bar Association of the State of New York

## THIRD ANNUAL TAKE YOUR CHILDREN TO WORK DAY – April 22, 2004

**T**he WWBA is pleased to announce its **Third Annual Take Your Children to Work Day** Celebration on April 22, 2004. The program is co-sponsored by the Westchester Women's Bar Association, the White Plains Bar Association, the Greenburgh Bar Association, Wilson Elser Moskowitz Edelman and Dicker, LLP, Keane and Beane, P.C., McCarthy Fingar, LLP and the United States District Court for the Southern District of New York. It will take place from 9:30 a.m. to 1:00 p.m. at the United States District Court at 300 Quarropas Street in White Plains. Among the planned activities are meetings with Judges, an Assistant United States Attorney, an FBI agent, and a U.S. Marshall; a demonstration of home detention equipment; and a courthouse tour. In addition, we will be providing a pizza and soft drink lunch for the children. The students will also receive a package, including among other things, handouts about the federal court system and a Certificate of Participation. One of the purposes of the program is to have children see that women as well as men can have rewarding careers in law enforcement.

As it was last year, the program is extended to allow the children of our members to participate along with the children of the federal employees, children of our sponsoring firm's employees and children from local area schools. In light of security concerns at the courthouse, we will need list of names and ages of all the children and chaperones who will attend. If you or your child would like to participate, please contact Deborah A. Scalise at (914) 347-5370 or DScalise@rosemarklaw.com or Stephanie M. Roebuck at (914) 946-4777 or sroebuck@kblaw.com before April 15th. We look forward to providing an educational and enjoyable experience for all. ◆

### *Please attend our April General Membership Meeting*

Our next General Membership Meeting promises to be lively and thought-provoking, as we explore a subject with personal implications for many of us. The topic is "Shattering the Glass Ceiling Without Being Cut." The meeting will be held on April 28, 2004 from 5:30 to 8:30 p.m. at Sam's of Gedney Way in White Plains. The cost for members is \$50 in advance and \$60 at the door. The cost for non-members is \$75 in advance and \$85 at the door.

We are honored to have Holly English, noted author of *Gender on Trial: Sexual Stereotypes and Work/Life Balance in the Legal Workplace*, speak about today's gender issues for legal employers, based on her research interviewing 180 lawyers around the country, of all ages, practice areas and viewpoints. Autographed copies of Ms. English's book will be available for purchase. ◆

### A Message From The President

#### GENDER ON TRIAL

The topic of our next General Membership Meeting on April 28, 2004, "Breaking the Glass Ceiling Without Being



*Kathleen Donelli*

Cut," is particularly germane and ironic given the media attention about Martha Stewart's recent criminal conviction. While Ms. Stewart's own dishonesty, greed and/or hubris have undoubtedly contributed to her current problems, as a successful, nondeferential business woman, she has been an attractive target for prosecutors and the media. While Ms. Stewart has been convicted for lying about stock she sold to save approximately \$50,000, it is estimated that Dennis Kazlowski and Mark Schwartz may have diverted \$600 million from Tyco shareholders. In sharp contrast to Ms. Stewart's much publicized conviction, the trial against Dennis Kazlowski and Mark Schwartz has ended in a hung jury. The "double-standard" of years ago has not disappeared: successful women in business, politics and the law are tolerated (and at times even applauded) - as long as they also manage to be good-tempered, well-

*continued on page 3*



Westchester  
Women's  
Bar  
Association

**MEMBER NEWSLETTER**

APRIL, 2004

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2003/2004

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**Standing Committees**

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Environmental & Land Use ...	Anna L. Georgiou Karen A. Mignone		
Gender Dynamics ...	Hon. Terry Jane Ruderman		
Golf Outing ..	Claire Meadow, Roberta Michael Kathy N. Rosenthal, Michelle Silva		
Holiday Party .....	Joy S. Joseph Roberta Michael		
Holiday Party/Crafts	Beth Willensky		

## President's Message

from page 1

groomed and not overly or overtly aggressive.

The speaker at our April 28, 2004 General Membership Meeting, Holly English, has based her book, *Gender on Trial: Sexual Stereotypes and Work/Life Balance in the Legal Workplace*, on extensive interviews with men and women to illuminate the continuation of gender discrimination in the legal workplace. I hope you will join us to listen and discuss with Ms. English overcoming gender-bias obstacles without becoming victims of our own success.

From 11:00AM to 2:00PM on April 18, 2004, our members are invited to attend a "Bon Voyage Brunch" at the NYS Judicial Institute at Pace University to wish Vicki Lutz good luck in her new job. Under Vicki's leadership as the Executive Director of the Pace Women's Justice Center, the Center has helped numerous victims of domestic violence and has developed strong teaching programs in the area of domestic violence. Vicki is leaving the Center to become the Executive Director of Crossroads Safehouse in Fort Collins, Colorado. As mentor, advocate and a valued friend and member of the WWBA, we - as well as our entire legal community - will miss her very much. Please contact Kathy Lambert (422-4223) by April 14, 2004 if you plan to attend.

On April 22, 2004, Deborah A. Scalise and Stephanie M. Roebuck, co-chairs of our Outreach Committee, will preside over our "Third Annual Take Your Children to Work Day" from 9:30AM to 1:00PM at the United States District Court in White Plains. All of our members are invited to attend with their children to see that women can have rewarding careers in law enforcement. (See article on page 1 for further details.)

Also on April 22, 2004 at 6PM, Co-chairs of the Matrimonial Committee, Sylvia Goldschmidt and Lonya Gilbert have invited David A. Martindale, Ph.D. to speak on, "Cross-examining Mental Health Experts in Child Custody Litigation." We will also discuss changes in matrimonial law that WBASNY may recommend to the Hon. Sondra Miller, who has been appointed to head a commission to explore changes in matrimonial law.

Hope to see you at some - if not all - of our April events! ♦

## WWBA RECEIVES AWARD OF MERIT

*Westchester Women's Bar Association has been selected by the New York State Bar Association Conference of Bar Leaders to receive the 2003 Award of Merit for local bar associations in recognition of their contributions to the Pace Women's Justice Center's Moderate Means Matrimonial Panel.*

The award was presented to President Kathleen Donelli and Vicki Lutz, the Executive Director of the Pace Women's Justice Center, at the New York State Bar Association Breakfast of Bar Leaders on January 30, 2004.

At our annual dinner on June 9, 2004



the award will be presented to Karen Z. Bell, who with Linda Markowitz conceived and developed the initial plan for the Moderate Means Panel.

The Moderate Means Panel was designed to meet the needs of Westchester residents with too many assets to qualify for pro bono legal assistance and yet without the financial ability to pay regular attorney fees. The Moderate Means Panel was launched as a joint effort of the Westchester Women's Bar Association, Westchester County Bar Association and Pace University School of Law to meet the needs of this underserved population

by providing attorneys who charge on a sliding scale. Through funding provided by Westchester County, under the Office for Women, the Pace Women's Justice Center screens clients for a referral to attorneys who serve on the Moderate Means Panel.

In its first year of operation, the Panel provided nearly \$150,000.00 in free legal services to the County's working poor. The Pace Women's Justice Center estimates that, given the acceptance of reduced fees, the Westchester Women's Bar Association attorneys are contributing 1700 hours pro bono representation per year via the Moderate Means Matrimonial Panel.

At our Annual Dinner on June 9, 2004, the award will be presented to Karen Bell, Esq. who with Linda Markowitz, Esq., and other members of the WWBA helped conceive and develop this important program. ♦

### Making Dates and Getting Published

Please schedule all WWBA dates through Kimberly Thomsen, Corresponding Secretary and Editor-in-Chief of the WWBA Newsletter. Please copy or otherwise notify Susan S. Brown, Vice President, with all dates to be included in the WWBA website calendar, at [ssbrownesq@msn.com](mailto:ssbrownesq@msn.com) or by facsimile at 914-288-9291. Conflicts in scheduling will be assessed on a case by case basis, with priority for early submissions.

The deadline for newsletter submissions (substantive law articles, notes on members, committee notices) to be considered for publication in the newsletter is **the twelfth of the month**. All notices must be in writing, preferably e-mailed to [kthomsen@kiscolaw.com](mailto:kthomsen@kiscolaw.com). Attachments should be sent in WordPerfect, Word or .rtf format. If you do not have e-mail capability, please mail or fax your submission to Kimberly at Banks Shapiro Gettinger Waldinger & Brennan, LLP, 118 North Bedford Road, Mt. Kisco, NY 10549, Telephone (914) 666-8033, Fax (914) 666-4459. ♦



# Survivor Law Project Launched

As announced in last month's newsletter, the WWBA, in cooperation with the Northern Westchester Shelter and Victims Assistance Services, had been successful in securing a substantial Department of Justice grant to implement comprehensive legal services for survivors of domestic violence and sexual abuse. After months of behind the scenes work by all involved, the project went public on March 5, 2004, with a kickoff reception and press conference in the Ceremonial Courtroom of the Westchester County Courthouse. Congresswoman Nita Lowey, Judge Nicolai and District Attorney Jeanine Pirro were featured speakers and the honored guests included our present and immediate past presidents, Kathleen Donelli and Kathy Rosenthal. Kathy Rosenthal had been instrumental not only in obtaining the grant but also in arranging for CLE credit for the project's attorney training programs. Kathleen Donelli gave her full support and much time to the implementation of the program after she became WWBA President. The WWBA members working directly with the Survivor Law Project partners are Alayne Katz, Audrey Stone, Kimberly Thomsen and Helga Klessen.



Congresswoman  
Nita Lowey

The Survivors Law Project's pro bono attorney training program got off to a very successful start on March 9 and 18, 2004, with a two-part series on family and matrimonial law issues held at the offices of Victims Assistance Services in Elmsford. The program was introduced by the Honorable Robert A. Spolizino, the supervising judge of the Westchester Supreme Court Matrimonial Part. Judge Spolizino congratulated the WWBA and the close to 30 volunteer attorneys participating in this endeavor and stressed the importance



Hon. Francis Nicolai, Kathleen Donelli, Kimberly Thomsen, Carla Horton, Ann Ellsworth, Audrey Stone, Kathy Rosenthal, Hon. Alayne, Katz

of presenting solid evidence to the court in domestic violence matters. Beth Feder, staff attorney for the Northern Westchester Shelter, familiarized the participants with the administrative aspects of the project, such as the availability of mentoring by WWBA volunteer attorneys in various fields, and Vicki Lutz, Director of the Pace Women's Justice Center, informed the participants that the SLP training will qualify to also join the PWJC's Moderate Means Panel. The Honorable Alayne Katz presented a program segment on custody, Kimberly Thomsen covered the nuts and bolts of matrimonial law, Audrey Stone handled representation of survivors, the Honorable Esther Furman covered child support, and Kathleen Donelli spoke on equitable distribution. The program was very well received by the participants, who each had to agree to accept at least one pro bono assignment from the Survivor Law Project in exchange for the no-cost 7 credits of CLE. We would like to recognize our partners at the Northern Westchester Shelter and Victim Assistance Services for providing both the space and refreshments

for the lectures.

We would like to extend our special thanks to Lorraine Hoffman, Artex Studio of Pleasantville, who graciously agreed to provide professional videotaping services for the entire training program at a nominal charge to the WWBA. These



Westchester County DA Jeanine Pirro and Carla Horton

tapes are available for any attorney who missed the lectures and would like to participate in the panel.

For further information, contact Lorraine Jackson at (914) 591-3278. In addition, should you be in need of legal or personal video services in the future, Lorraine Hoffman can be reached at (914) 582-3111 or via her website at [www.artexstudio.com](http://www.artexstudio.com). ♦

Photos by Susan Bauman

# UPDATE RE HIPAA PRIVACY RULES

L. William Fishman, Esq.

This is an update to an article in the December 2003 issue of this Newsletter. In that article, I discussed the new privacy rules under the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") which became effective on April 14, 2003. The privacy rules define and limit the circumstances in which an individual's protected health information may be used or disclosed by covered entities which include health plans and health care providers such as doctors, dentists, nurses and pharmacists. Since most health care proxies come into effect only when the principal is terminally ill or mentally incompetent, and most health care proxies do not contain necessary language granting the health care agent the right to obtain protected health information, I suggested that health care proxies cur-

rently in effect should be updated to include HIPAA release language. Set forth below is language which you might consider adding to your health care proxy form:

## *HIPAA Release Authority.*

*I intend that my Health Care Agent be treated as I would be, with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (a/k/a "HIPAA"), 42 USC 1320d and 45 CFR 160.164.*

*I hereby authorize any physician, health care professional, dentist, health plan, hospital, clinic, laboratory, pharmacy or other covered health care provider, any insurance company*

*and the Medical Information Bureau Inc. or other health care clearinghouse that has provided treatment or services to me, or that has paid for, or is seeking payment from me, for such services, to give, disclose and release to my Health Care Agent, without restriction, all of my individually identifiable health information and medical records regarding any past, present or future medical or mental health condition, including all information relating to the diagnosis and treatment of HIV/AIDS, sexually transmitted diseases, mental illness, and drug or alcohol abuse.*

*The authority given to my Agent shall supersede any prior agreement that I may have made with my health care provider to restrict access to or disclosure of my individually identifiable health information. The authority given to my Health Care*

*Agent has no expiration date and shall expire only in the event that I revoke the authority given to my Health Care Agent in writing and deliver it to my health care provider.*

The Office of Court Administration has posted a form to authorize the release of medical information pursuant to the HIPAA regulations. The Authorization for Release of Health Information will enable litigants to obtain medical information. The form may be found at [http://www.nycourts.gov/forms/hipaa\\_fillable.pdf](http://www.nycourts.gov/forms/hipaa_fillable.pdf). ♦

*Mr. Fishman is the Chair of the WWBA Tax Committee and Of Counsel to the firm of McCarthy Fingar Donovan Drazen & Smith, LLP, White Plains, NY. He specializes in federal, state and local taxation, including income tax, estate and gift tax planning, tax aspects of mergers and acquisitions, and tax exempt entities.*

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# IN VITRO FERTILIZATION

## Who Gets the Frozen Pre-Embryos After Divorce?

Susan L. Pollet, Esq.,  
Associate Court Attorney  
Westchester County Family Court

Reprinted with permission from the  
New York State Bar Journal  
February, 2004

For many individuals, giving birth to a child, the fulfillment of a life dream, is difficult to achieve. In fact, approximately 10% of the United States population that is of reproductive age is affected by infertility.<sup>1</sup> With advancements in reproductive technology, infertile couples are turning, increasingly, to artificially assisted conception procedures. The most popular of such procedures is in vitro fertilization ("IVF"), in which eggs are extracted from the female's body, fertilized in a petri dish, and then reinserted back into the womb. Up to fifteen or twenty eggs may be extracted, but no more than two or three embryos are usually implanted at one time, resulting in excess embryos being frozen, to be inserted at a later date if the procedure fails.<sup>2</sup> Approximately 188,000 frozen preembryos currently exist in the United States.<sup>3</sup> For many couples, IVF is their last opportunity to bear children with whom they have a genetic connection. The IVF procedure is expensive, and requires the expenditure of enormous physical and emotional effort.

This article will discuss the legal issues that arise when, after the embryos are frozen, but before implantation, couples divorce and disagree over what should be done with the frozen embryos. The available options to these couples usually involve "donation to the IVF clinic for research purposes, donation to another infertile couple, or use by one of the members of the original couple still wanting to have a child."<sup>4</sup>

Currently, there are "no federal statutes that provide a uniform consensus on resolving the disputes over the ownership of preembryos."<sup>5</sup> Several states, including Florida, Illinois, Kentucky, Louisiana, Missouri,

New Hampshire, New Mexico and Pennsylvania have enacted legislation to address the disposition of frozen preembryos.<sup>6</sup>

A review of the literature, state case law and state legislation makes clear that scholars, courts and legislatures cannot agree on the future of frozen preembryos. However, there is "uniform consensus" that federal legislation should be enacted.<sup>7</sup> (It has been argued that the reluctance to legislate in the area of reproductive technology may be due to moral or public policy disagreements as to whether such technologies should be permitted at all).<sup>8</sup> According to some commentators, the legislature must first define the rights of a preembryo by "determining its legal status."<sup>9</sup> Scholars state that courts and legislatures may apply three types of legal status to preembryos. The first is the "right-to-life approach" (the "person status") which maintains that life begins at fertilization and that preembryos should never be destroyed.<sup>10</sup> The second approach gives preembryos the "status of property," and focuses upon the rights of the donors. The third is the "special respect" approach which advocates a balancing test that takes into account the rights of all parties.<sup>11</sup> This third approach is supported by most commentators, including the American Fertility Society. It gives the preembryo respect "greater than that accorded to human tissue but not the respect accorded to actual persons."<sup>12</sup> Under this approach, it is ethically and legally acceptable to discard or prevent the transfer of preembryos to a uterus.<sup>13</sup>

One scholar, Diane K. Yang, recommends that federal legislation should provide that disposition agreements be recognized, and that a model consent agreement be provided to the participants.<sup>14</sup> The use of a model form, it is argued, reduces the burden on the courts to determine the legality of the contract terms, and would shift the fo-

cus, instead, on whether or not the agreement is unenforceable because it violates a public policy concern.<sup>15</sup> The argument is that "signing a contract to decide the preembryos' fate is neither callous nor dangerous; it is the intelligent and forward-thinking choice."<sup>16</sup>

Scholar Erik W. Johnson suggests that the most effective way to "reduce litigation and limit uncertainty" in these cases is for legislation to require a consent form signed by both parents and the IVF clinic prior to treatment.<sup>17</sup> It is argued that the legislation should provide that couples are given information (counseling) on disposal and donation options, along with a comprehensive list of possible contingencies.<sup>18</sup> Johnson argues that the "best approach for courts to take is first to give deference to the consent agreements when determining preembryo disposition."<sup>19</sup> In circumstances

where a court had determined that the agreement is invalid, or when a consent form was never signed, Johnson maintains that the courts should balance each party's constitutional right to procreate.<sup>20</sup>

Another commentator, Karissa Hostrup Windsor, maintains that federal legislation should require that the disposition agreements contain several provisions, to wit, the fate of the preembryos in the event of various contingencies; that both spouses agree that the agreement will be binding between them, and between them and the clinic; that the contract will be enforceable in a court of law; and that contract defenses such as unconscionability or changed circumstances will not be permitted to prevent enforcement of the agreement.<sup>21</sup>

The main issues that courts have grappled with are "whether a

*continued on page 9*

### WORBY GRONER EDELMAN

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### Significant Personal Injury And Medical Malpractice Matters

#### RECENT RESULTS OF NOTE

- \$9.26 Million\*: Med Mal - Infant neurological injury
- \$7.18 Million\*: Med Mal - Death from negligent treatment of hematologic disorder
- \$2.3 Million: Med Mal - Resulting in 2 years pain & suffering
- \$1.67 Million: Med Mal - Negligent treatment of infection
- \$1.3 Million: Med Mal - negligent gall bladder surgery
- \$4.2 Million\*: Labor Law - Wrongful death; 55 Year old carpenter working "off books"
- \$1.45 Million: Auto - Half-inch leg shortening
- \$1.17 Million: Auto- Leg fractures to teacher
- \$4.2 Million: Negligent Security - Verdict solely for 20 minutes pain & suffering

\*Expected lifetime payout

# Practice Management Tips

## Scientific Client Selection

Marc S. Stern

As the practice of law enters the new millennium, there have been major changes in the manner in which lawyers perform their duties. What was once considered a "learned profession" first became a profession and has now become a business. Law Practice Management Consultants abound. They converse in terms of leveraging associates, earnings ratios, marketing, and maximizing productivity. Numerous articles and even books have been written about how to charge more, how to increase billable hours, and how to go beyond the billable hour.

Tomes have been written about how to attract and retain clients, how to effectively market practice areas and how to develop good client relationships. However, little, if anything has been written about how to determine whether or not you want the client you attracted and, even more importantly, how to make that decision when the client first comes through the door. Until now, no one has applied scientific principles to the initial determination of whether or not to take the client in the first instance.

In our office we have developed a scientific system for making this decision. In short we take the factors outlined below and, after applying statistical methods and means averaging analysis, rate each potential client our Cli-

***"Tomes have been written about how to attract and retain clients . . . and how to develop good client relationships. However, little, if anything has been written about how to determine whether or not you want the client you attracted . . ."***

ent Flake Index (CFI). We then apply that rating to our Monthly Flake Quota (MFQ) and Office Flake Allowance (OFA) to determine whether or not to accept representation of the potential client.

There are a number of factors that go into a determination of the CFI.<sup>1</sup> The first and most important of these is the LPR or Likelihood of Payment Ratio. Experience has shown that a client with a low LPR has a substantially higher CFI even when all of the factors are considered. Consequently, a quick determination of the LPR<sup>2</sup> in emergency cases requiring an instant determination will provide a good indication of whether or not to become involved with this client's problems.

The LPR is derived from a number of factors. What is the retainer amount? Is the client employed? What kind of payments can the client make? What is the referring attorney's experience with the client? Are there wealthy relatives? Are there assets (real estate, etc.) which can be liquidated to pay you? Will the client secure your fee? If so, on what property and in which position? If the retainer check bounces, the LPR is negative and you should consider

whether or not the client falls into the TFC status discussed *infra*.

The LPR is determined as follows:

$$LPR = \frac{RA + (CPMP \cdot PWD) + VS}{PTF} \times 10$$

where RA = Retainer Amount, CPMP = Current value of projected monthly payments, PWD = Potential Work Date (when will you have to do the work), VS = Value of Security, and PTF = Projected Total Fee.

Since the vast majority of our business is the result of referrals from other lawyers, the RACF or Referring Attorney Credibility Factor is an important factor in our office. For instance, some attorneys send us all of their non-average bankruptcies. If the referring attorney is a regular referral source, it may indicate that the client is a good risk since most attorneys do not wish to be known as sending flaky clients. On the other hand, if you have never heard of the referring attorney, or think he is a clod, a higher CFI is indicated.

Our office handles a number of complex cases which have been mishandled prior to our involvement. The PCCF or Previous Counsel Compe-

tency Factor is therefore important. If previous counsel was competent, a higher CFI results. If previous counsel was incompetent, a lower CFI is indicated. If the attorney is an idiot and the client recognizes it, it does not indicate much of anything unless the client has been with the attorney for a long time. In this case, a higher CFI is indicated. A good general rule is that if you are the second counsel and previous counsel has a low PCCF score, do not elevate the CFI on this basis. Be cautious, however. If previous counsel was competent, or if you are the third attorney, don't take the case regardless of other factors. The possible exception to this is if you are a specialist and the referring attorney is also prior counsel.

Another important factor is the CHF or client honesty factor. If the client is lying to you, it is not worth representing the client. Period. With the prevalence of Rule 11, it is important that you investigate all your client tells you. If you must do this regularly, it takes time from other cases. If you must pay sanctions because your pleadings are not grounded in fact, your reputation with the court will suffer, you will probably lose the case, the client will be angry with you, you will not be paid, and you will have to pay the sanctions from your own pocket.

*continued on page 10*

## Committee Activities

### Matrimonial and Family Law Committee

Mark your calendars, and plan to attend this wonderful program on Thursday April 22, 2004: *Cross-examining Mental Health Experts in Child Custody Litigation* presented by David A. Martindale, Ph.D., ABPP. Two and a half (2 ½) transitional credits\* for professional practice will be given for attendance at this program.

The meeting will be held at the Bank of New York, 123 Main St., White Plains, NY 10601. A light supper will be served. Registration and dinner begins at 5:30; the program will promptly begin at 6:00p.m. Please RSVP to Lorraine Jackson at (914) 591-3278. The cost for the program is \$15.00, plus \$5.00 for the CLE credit. ♦

### Archive and Historian Committee

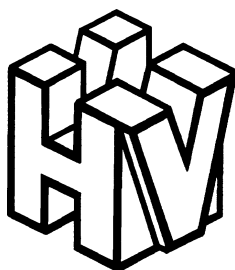
In an effort to accumulate a written history of many of our wonderful members and of the WWBA itself, this column will feature an interview with a selected member. The first interviewee is our current President, Kathleen Donelli, who will set the tone for our many interviews to come. If anyone has any information, photos or other pieces of our history, please forward the materials on to Susanpollet@aol.com. ♦

### Lawyering and Parenting Committee

On Tuesday, April 20, 2004, from 12:30 p.m. to 2:00 p.m. the Lawyering & Parenting Committee will present an informative program on "How to find quality time for you and your family". The speaker will be Dr. Kathryn Hickman, PH.D, a NY State licensed clinical and school psychologist with a private practice in Rye, New York specializing in working with children, adolescents and their families. Dr. Hickman provides parent and professional workshops on various topics and will discuss what type of quality time children and families really need. It may be different than what you expected. Light lunch served. CLE credit approval pending. Please RSVP to Rita Tino at 914-921-5705 or Christie Derrico at 914-698-2880. ♦

*Full and partial scholarships for all WWBA CLE programs, based on financial need, are available. For information on the guidelines and procedures for applying, please contact Kathy Rosenthal, Esq., CLE liaison for the WWBA at 347-1292. All requests are confidential.*

## DEDICATED TO SERVING THE LEGAL PROFESSION



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# IN VITRO FERTILIZATION

from page 6

court should enforce a couple's pre-conception agreement, whether a person can be forced to be a parent against his or her wishes, and whether one party's interest in becoming a parent outweighs the other party's interest in not becoming a parent."<sup>22</sup> Courts have a choice about various doctrines which can be applied to resolve such disputes. One commentator suggests that Courts may "enforce a contract if one exists, or they may resolve the dispute based upon public policy, or they may characterize the preembryos as marital property and dispose of them accordingly, or they may apply the right to privacy."<sup>23</sup> There are at least five reported cases in the United States of pre-embryo custody disputes in which the courts "awarded the pre-embryos to the party opposing implantation," which resulted in stopping the process "the parties began."<sup>24</sup> These courts, however, have disagreed on the reasons for their decisions.<sup>25</sup> One scholar, Ellen Waldman, suggests that the courts are striving to accomplish one goal—"to make sure that the parent who no longer wants the embryos containing his or her genetic material

brought to term wins."<sup>26</sup> This has been characterized, also, as the "right not to be a parent."<sup>27</sup>

For purposes of this article, I will discuss the one New York Court of Appeals decision, *Kass v. Kass*. The issue in *Kass* involved the disposition of five, frozen, stored pre-embryos created five years prior to the decision while the parties were still married. The parties divorced, and the woman wanted to implant the pre-embryos, claiming that this was her "only chance for genetic motherhood." The man objected "to the burdens of unwanted fatherhood." The father claimed that the parties had agreed at the inception of the effort that in the present circumstances they would donate the pre-embryos to the IVF program for "approved research purposes." The Court of Appeals affirmed the Appellate Division, concluding that the parties' agreement to donate to the IVF program controls. Chief Judge Kaye's decision is remarkable in the way in which it gives a thorough analysis of the "legal landscape," and deftly summarizes the competing approaches to the issue of disposition of the pre-embryos. In the decision, it is stated that agreements between gamete donors regarding disposition of pre-embryos should "generally be presumed valid and

binding, and enforced in any dispute between them (citations omitted)."<sup>29</sup>

The *Kass* Court, in addition to recognizing the value of carefully working out such agreements, also noted the difficulties inherent in agreements like these that "look to the future." The Court noted that "divorce; death; disappearance or incapacity of one or both partners; aging; the birth of other children are but a sampling of obvious changes in individual circumstances that might take place over time."<sup>30</sup> The Court emphasized that because of these factors, courts should honor the "parties' expressions of choice, made before disputes erupt, with the parties' over-all direction always uppermost in the analysis."<sup>31</sup> The Court went on to use general principles of contract interpretation to arrive at its decision.

## Conclusion

The use of IVF procedures and the preservation of extra pre-embryos can result in disagreements over the disposition of them after divorce. As aptly put by Chief Judge Kaye in the *Kass* decision, "[a]s science races ahead, it leaves in its trail mind-numbing ethical and legal questions."<sup>32</sup> These questions, and their corresponding answers, are evolving. ♦

Susan L. Pollet is a Senior Court Attorney in the Westchester County Family Court. She is a Past President of the Westchester Women's Bar Association, and a Past Vice President of the Women's Bar Association of the State of New York. She has published over twenty articles regarding family law and related topics. She is a graduate of Cornell University and received her law degree in 1979 from Emory University School of Law.

<sup>1</sup> Diane K. Yang, "Notes And Comments: What's Mine Is Mine, But What's Yours Should Also Be Mine: An Analysis Of State Statutes That Mandate The Implantation Of Frozen Preembryos," 10 J.L. & Pol'y 587 (2002). The author points out that in 1978, the first child conceived by IVF was born, and that more than 45,000 American babies have been conceived through IVF in the United States. (Id. at 590).

<sup>2</sup> Ellen Waldman, "Symposium Issue: 2002 Women And The Law Conference: Women And Family Law: King Solomon In The Age Of Assisted Reproduction," 24 T. Jefferson L. Rev. 217, 218 (Spring, 2002).

<sup>3</sup> Tracey S. Pachman, "Disputes Over Frozen Preembryos & The 'Right Not To Be A Parent,'" 12 Colum. J. Gender & L. 128, 130 (2003).

<sup>4</sup> Karissa Hostrup Windsor, "Note: Disposition Of Cryopreserved Preembryos After Divorce," 88 Iowa L. Rev. 1001, 1003 (April, 2003).

<sup>5</sup> Diane K. Yang, "Notes And Comments: What's Mine Is Mine, But What's Yours Should Also Be Mine: An Analysis Of State Statutes That Mandate The Implantation Of Frozen Preembryos," 10 J.L. & Pol'y 587, 588 (2002).

<sup>6</sup> Id.

<sup>7</sup> Diane K. Yang, "Notes And Comments: What's Mine Is Mine, But What's Yours Should Also Be Mine: An Analysis Of State Statutes That Mandate The Implantation Of Frozen Preembryos," 10 J.L. & Pol'y 587, 633 (2002).

<sup>8</sup> F. Barrett Faulkner, "Applying Old Law To New Births: Protecting The Interests Of Children Born Through New Reproductive Technology," 2 J. High Tech. L. 27, 42-3 (2003).

<sup>9</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 818 (Spring, 2003).

<sup>10</sup> Karissa Hostrup Windsor, "Note: Disposition Of Cryopreserved Preembryos After Divorce," 88 Iowa L. Rev. 1001, 1007 (April, 2003).

<sup>11</sup> Karissa Hostrup Windsor, "Note: Disposition Of Cryopreserved Preembryos After Divorce," 88 Iowa L. Rev. 1001, 1007 (April, 2003).

<sup>12</sup> Karissa Hostrup Windsor, "Note: Disposition Of Cryopreserved Preembryos After Divorce," 88 Iowa L. Rev. 1001, 1012 (April, 2003).

<sup>13</sup> Id. at 1012.

<sup>14</sup> Diane K. Yang, "Notes And Comments: What's Mine Is Mine, But What's Yours Should Also Be Mine: An Analysis Of State Statutes That Mandate The Implantation Of Frozen Preembryos," 10 J.L. & Pol'y 587, 634 (2002).

<sup>15</sup> Id.

<sup>16</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 820 (Spring, 2003).

<sup>17</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 794 (Spring, 2003).

<sup>18</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 819 (Spring, 2003).

<sup>19</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 795 (Spring, 2003).

<sup>20</sup> Erik W. Johnson, "Note: Frozen Embryos: Determining Disposition Through Contract," 55 Rutgers L. Rev. 793, 820 (Spring, 2003).

<sup>21</sup> Karissa Hostrup Windsor, "Note: Disposition Of Cryopreserved Preembryos After Divorce," 88 Iowa L. Rev. 1001, 1033 (April, 2003).

<sup>22</sup> Helen S. Shapo, "Frozen Pre-embryos And The Right To Change One's Mind," 12 Duke J. Comp. & Int'l. 75, 80 (Winter, 2002).

<sup>23</sup> Lainie M.C. Dillon, "Notes And Comments: Conundrums With Penumbra: The Right To Privacy Encompasses Non-Gamete Providers Who Create Preembryos With The Intent To Become Parents," 78 Wash. L. Rev. 625, 627 (May, 2003).

<sup>24</sup> Helen S. Shapo, "Frozen Pre-embryos And The Right To Change One's Mind," 12 Duke J. Comp. & Int'l. 75, 76 (Winter, 2002).

<sup>25</sup> Helen S. Shapo, "Frozen Pre-embryos And The Right To Change One's Mind," 12 Duke J. Comp. & Int'l. 75, 77 (Winter, 2002). This article gives a good discussion of those cases.

<sup>26</sup> Ellen Waldman, "Symposium Issue: 2002 Women And The Law Conference: Women And Family Law: King Solomon In The Age Of Assisted Reproduction," 24 T. Jefferson L. Rev. 217, 221 (Spring, 2002).

<sup>27</sup> Tracey S. Pachman, "Disputes Over Frozen Preembryos & The 'Right Not To Be A Parent,'" 12 Colum. J. Gender & L. 128, 131 (2003).

<sup>28</sup> 91 N.Y.2d 554 (1998).

<sup>29</sup> Id. at 565.

<sup>30</sup> Id. at 565-566.

<sup>31</sup> Id. at 566.

<sup>32</sup> Id. at 562.

## Practice Management Tips

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A related factor to consider in deciding to represent a potential client is the MPF or Malpractice Premium Factor, which is a function of client honesty, rationality and expectations. The factor is most appropriately summarized in the following question: "Will this @#%\$\$# sue me if he/she/it does not get the relief desired and what will it do to my malpractice premiums?"

If the potential client wants to do it as a "matter of principle" be extremely careful.<sup>3</sup> This is the client who will look for a malpractice action and probably will complain about your bill.

In our office the SIF or Secretarial Intuition Factor an important element of a client's CFI quotient. My current secretary has more life experience than I, and an uncanny ability to spot flakes. Consequently, her opinion<sup>4</sup> is a major factor in the determination of the CFI.

The last factor to be discussed in this article is the PRF or Potential Referrals Factor. I have, throughout my career represented a number of clients with CFI statistics off the scale. However, these clients have sent me numerous substantial business clients who pay their bills regularly, listen to my advice, and do what they say they will do. Consequently, they rate a low CFI. These clients would not have come to me but for my representation of their friend, relative, etc. ◆

<sup>1</sup>The relative values assigned to each factor will vary with the office and with the personality of the lawyer involved.

<sup>2</sup> In 90% of cases the LPR = CFI.

<sup>3</sup> I usually tell such clients that principles are important and to properly litigate his case he should place \$10,000 in my trust account so that the matter can be properly pursued.

<sup>4</sup> Since most clients deal with my secretary/paralegal directly, and, she is the primary contact point and client interface, her reaction to the client is extremely important. If they can work together, a good attorney-client relationship is more likely.

## Notes on Members

The Pro Bono Partnership has named WWBA Member **Susan Corcoran** as one of its 2003 Volunteers of the Year.

Chief Judge Judith S. Kaye has appointed **Justice Sondra Miller** (Appellate Division, Second Department) to head a task force to examine "every aspect of divorce litigation with an eye to continuing improvement." The task force will build on the work a decade ago of the Committee to Examine Lawyer Conduct in Matrimonial Matters. Justice Miller has asked that the WBASNY Matrimonial Committee provide her with a list of issues that WBASNY wants the "Miller Commission" to address.

**Gloria Bruzzano** was the first-prize winner of the ABA Rep Rewards Program for spring 2003. The award was given for her active involvement in increasing the law student enrollment in the ABA and in Sections. Gloria also received an award from County Executive Andy Spano for her service to the Westchester Community, largely through her work with PILSO and WALS.

**Professor Janet A. Johnson** has been appointed to the Judicial Campaign Practices Committee of the Westchester County Bar Association and to the Law Guardian Committee. The New York State Commission on Judicial Conduct has also appointed Professor Johnson as a referee in two cases. ◆

## Office Space Available

One sunny windowed office available immediately in attractive, congenial attorney suite. Conveniently located at the intersection of 287 and 119. Receptionist, conference room, parking, kitchen, copier, fax, NYLJ and library included. Secretarial/clerical space available. Please call Linda Markowitz or Kathy Rosenthal at (914) 347-1292. ◆

## Family Friendly Employment Policy Award

The Westchester Women's Bar Association is now accepting nominations for the 2004 FAMILY FRIENDLY EMPLOYMENT POLICY AWARD. This award will be presented to a legal employer in Westchester that has distinguished itself by establishing employment policies or practices that assist its employees in achieving balance between their work and family. Any legal employer in either the public or private sector, employing at least 3 or more individuals is eligible. We will consider, among other factors, the employer's policies on part time employment, flexible work schedules, maternity and paternity leaves, tele-commuting and partnership opportunities for part time employees. Anyone familiar with the employer can submit a nomination. The nomination form will be available by mail or e-mail or by contacting Rita Tino at 914-921-5705 or Christie Derrico at 914-698-2880, or by leaving a message on the Westchester Women's Bar phone at 914-347-3662. The deadline to submit a nomination form will be Friday, April 30, 2004. The award will be presented to the winner at the WWBA annual dinner. This distinguished honor acknowledges the employer who has successfully gained the trust and dedication from its employees who are eager to give back to their employer. ◆

## Blaine Sloane Lecture on International Law at Pace Law School

The Dean and Faculty of Pace Law School Cordially invite you to the Eighteenth Blaine Sloane Lecture on International Law, presented by Professor Barbara Stark on Thursday, April 15, 2004 at 4:00 P.M., at Classroom Building Room 101, Pace Law School, 78 North Broadway, White Plains, New York.. The topic of the program will be *Women and Globalization: A World of Change*. Barbara Stark is a Fulbright Senior Specialist and professor at the University of Tennessee College of Law. A reception with Professor Stark will be held following the lecture. ◆

## Justice Jacqueline W. Silbermann, Statewide Administrative Justice for Matrimonial Matters to be Honored

On Wednesday, May 26, 2004, the Honorable Jacqueline W. Silbermann will be honored with the Joan L. Ellenbogen Award at the New York Women's Bar Association's Annual Dinner at the Grand Hyatt New York Hotel in New York City (42nd Street at Grand Central). The award is in memory of WBASNY Founder Joan Ellenbogen and is being underwritten by NYWBA past President and long-time WBASNY member Sheila Birnbaum, who will make a substantial gift to charity in the name of the honoree. Justice Silbermann is well known and admired by practitioners across the State. She is the statewide administrative judge for matrimonial matters, where she has instituted reforms and made real difference in the practices of those courts. She is also the chief administrative judge for the Supreme Court in New York County. We

are so pleased that she will receive this award in its inaugural year.

A wonderful turnout is expected for the NYWBA Dinner, so be sure to make your reservations early. A cocktail reception for Justice Silbermann and the other honorees will begin at 6 p.m., with dinner following at 6:45 p.m. For further information about the NYWBA Annual Dinner, please contact NYWBA Executive Director Marta Toro (info@nywba.org or 212-360-7055) or go to the NYWBA website (www.nywba.org). Many people have expressed an interest in acknowledging Justice Silbermann's contributions to the profession and to jurisprudence in the matrimonial area. If you are interested in submitting a tribute or advertisement in the NYWBA Dinner Journal, please contact Journal Chair Jo Ann Douglas (K9Kastle@aol.com or 212-673-2895). ♦

## WWBA Thanks Our Directory Sponsors and Supporters

Over fifteen professional and business providers from our community have taken ads in this year's Directory. We invite members to patronize the Directory supporters and remember to mention that you are a member of WWBA and you saw the ad in the 2004 WWBA Membership Directory.

Access Title Insurance Agency	Premier Funding Corp.
Barback, Uliano & Co. PC	Proftech, LLC
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Citron Cooperman & Company, LLP	Ryan Beck & Co.
Housman & Bloch, LLP	The Bank of New York
Hudson Valley Bank	The Judicial Title Insurance Agency, LLC
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## W W B A N e w M e m b e r s

The Westchester Women's Bar Association proudly welcomes our newest members:

HON. JOHN P. COLANGELO  
New Rochelle City Court  
475 North Avenue  
New Rochelle, New York 10801  
(914) 654-2286  
E-mail: jcolacap@aol.com  
*Judiciary*

RHONA M. BORK, ESQ.  
470 Mamaroneck Avenue, Suite 400  
White Plains, New York 10605  
(914) 946-1847  
E-mail: rhonabork@verizon.net  
*Domestic Violence, Family Law, General  
Practice,  
Landlord/Tenant, Matrimonial*

EMILY BUCK  
Eight Emwilton Place, Apt. 1-A  
Ossining, New York 10562  
(716) 640-4548  
E-mail: emilyk\_buck@hotmail.com  
*Law Student*

BRITTNEY BUFFO  
Pace University  
78 North Broadway, No. 320  
White Plains, New York 10603  
(914) 597-5763  
E-mail: brittneybuffo@hotmail.com  
*Law Student*

SUSAN M. DALY, ESQ.  
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120 White Plains Road  
Tarrytown, New York 10591  
(914) 631-4046  
E-mail: jmarmon@aol.com  
*Elder Law, Guardianship/Medicaid,  
Health Law, Real Estate,  
Wills, Trusts & Estates*

ELANA ROFFMAN  
165 Church Street  
White Plains, New York 10601  
(914) 993-9091  
E-mail: eroffman@law.pace.edu  
*Law Student*

J. ADRIENNE STEPHENS, ESQ.  
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Mt. Vernon, New York 10550  
(914) 664-6740  
E-mail: mshoy257@aol.com  
*Adoption, Elder Law, Guardianship/Medicaid,  
Family Law, Wills, Trusts & Estates*

## WWBA Schedule of Upcoming Events

COMMITTEE	DATE/TIME	PLACE	TOPIC	RSVP
Board Meeting	4/14/04 & 5/5/04 Meeting-5:30 pm	The Bank of New York 123 Main Street White Plains, NY		Contact Lisa Palmesi at 914-946-3700 if you are unable to attend
WWBAF Board Meeting	5/5/04 Meeting-5:00 pm	The Bank of New York 123 Main Street White Plains, NY		Contact Glassman & Brown at 914-686-0108 if you are unable to attend
General Membership Meeting	4/28/04 5:30-8:30 pm	Sam's of Gedney Way 52 Gedney Way White Plains, NY	"Shattering the Glass Ceiling Without Getting Cut"	Maureen Arcesi at 914-946-3700 or marcesi@mfdds.co (RSVP via enc. flyer)
Outreach Committee's 3 <sup>rd</sup> Annual Take Your Children to Work Day	4/22/04 9:30 am to 1 pm	U.S. District Court 300 Quarropas St. White Plains, NY	Members & their children are invited to meet federal judges, prosecutors, a marshal and FBI agent; tour the courthouse; and for lunch.	Deb Scalise (347-5370/ <a href="mailto:Dscalise@rosemarklaw.com">Dscalise@rosemarklaw.com</a> ) or Stephanie Roebuck (946-4777/ <a href="mailto:sroebuck@kblaw.com">sroebuck@kblaw.com</a> )
Matrimonial Committee	4/22/04 5:30 registration & dinner, 6:00 pm program (2-1/2 CLE credits)	The Bank of New York 123 Main St. White Plains, NY	Speaker: noted forensic psychologist David Martindale, PhD "Cross Examining Mental Health Experts in Child Custod Litigation"	Lorraine Jackson 591-3278
Lawyering & Parenting	4/20/04 12:30-2:00 p.m. (CLE credit approval pending)	Law Office of Rita J. Tino 190 E. Post Road Suite 300 White Plains, NY	"How To Find Quality Time For You And Your Family" Speaker: Kathryn Hickman, Ph.D	Rita Tino (914-921-5705) or Christie Derrico (914-698-2880)
Matrimonial Committee	5/25/04 5:30 pm	The Bank of New York 123 Main St. White Plains, NY	Speaker: Steven Gassman on Evidence	TBD
WWBA Annual Dinner & Installation of Officers	6/9/04 6 pm	Mamaroneck Beach & Yacht Club Mamaroneck, NY	Annual Dinner & Installation of Officers	Contact Co-Chair Susan M. Damplo, Esq. w/ questions @ 914-693-2476 or <a href="mailto:sdamplo@aol.com">sdamplo@aol.com</a> (RSVP via enc. flyer)

## Other Important Events

SPONSOR	DATE/TIME	PLACE	TOPIC	RSVP
New York Women's Bar Association	5/26/04 6 pm cocktails 6:45 dinner	Grand Hyatt Hotel 42 <sup>nd</sup> St. @ Grand Cntrl NY, NY	Annual Dinner Honoring Justice Jacqueline W. Silberman	Contact Marta Toro: 212-673-2895 or <a href="mailto:info@nywba.org">info@nywba.org</a>
WBASNY	5/21/04 – 5/23/04	New Orleans, LA	Annual Convention	Contact Linda Chiviarini 212-721-1620
White Plains Bar Association	4/20/04 12 pm	Laguna Restaurant 189 E. Post Rd., White Plains	West. Co. District Attorney Jeanine Pirro	Stacie Baumgartner 946-4777
NYS Attorney General Eliot Spitzer & Downstate Coalition for Crime Victim	4/18/04 2p	West End Collegiate Church 77 <sup>th</sup> St. and West End Ave. (between B'way and West End Ave.)	Paying tribute to victims of homicide, assault, abuse, stalking, rape, DWI, and WTC attack. Recognizing Volunteer Advocates	For further information: 212-416-8839

WWBA is a chapter of WBASNY which is an approved provider of CLE credit. Full and partial scholarships for CLE programs based on financial need are available. For information on the guidelines and procedures for applying, please contact the person running the program. All requests are strictly confidential. All programs are for transitional credit unless the program states otherwise.



## WESTCHESTER WOMEN'S BAR ASSOCIATION

A Chapter of the Women's Bar Association of the State of New York

*Matrimonial Committee along with the Family Law Committee*

Mark your calendars, and plan to attend this wonderful program on Thursday April 22, 2004!

# "CROSS-EXAMINING MENTAL HEALTH EXPERTS IN CHILD CUSTODY LITIGATION"

~ Presented by ~

**David A. Martindale, Ph.D., ABPP**

*The meeting will be held at the Bank of New York  
123 Main Street • White Plains, NY 10601*

Registration and dinner begins at 5:30; the program will promptly begin at 6:00.  
A light supper will be served.

Two and a half (2 ½) transitional credits\* for professional practice will be given for attendance at this program.

Please RSVP to Lorraine Jackson at (914) 591-3278. The cost for the program is \$15.00, plus \$5.00 for the CLE credit. • WBASNY is an accredited CLE provider.

Financial Hardship: Full and partial scholarships for this program, based on financial need, are available.

For further information, contact Lorraine Jackson at (914) 591-3278. All requests are confidential.

## THE INTEGRATED DOMESTIC VIOLENCE COURT

In Cooperation with the Pace Women's Justice Center Presents

### BEYOND "HE SAID/SHE SAID" How to Build a Domestic Violence Case With Expert Testimony *An Interactive Trial Simulation Exercise*

TUESDAY, MAY 4, 2004 • 5:30PM - 8:00PM

New York State Judicial Institute, Omni Room

Pace University School of Law, 78 North Broadway, White Plains, NY 10603

— SPEAKERS —

Introduction: **The Hon. Daniel D. Angiolillo**

Program: **The Hon. Joan O. Cooney, Ronald J. Bavero, Esq., Rebecca J. Fialk, Esq., Victoria Lutz, Esq.**

Closing Remarks: **The Hon. Robert A. Spolzino**

Cost: \$45.00 including dinner and 2 CLE credits

For more information and the RSVP please call Robert F. Nicolais at (914) 995-6038 by April 23, 2004. Space is Limited

This program has been approved in accordance with the requirements of the New York State Continuing Legal Education Board for a maximum of 2 credit hours. The course is sponsored for CLE accreditation by the Pace Women's Justice Center. Full and partial scholarships for this program based on financial need are available. For information on the guidelines, and to apply, please contact Judy Russo at (914) 422-4424. All requests are confidential. This program is suitable for transitional (i.e., newly admitted) and non-transitional attorneys.

Westchester Women's Bar Association  
**Annual Dinner/Souvenir Journal**  
**June 9, 2004**  
*at*  
Mamaroneck Beach & Yacht Club

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You are hereby authorized to place the following advertisement in the  
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# THE WESTCHESTER WOMEN'S BAR ASSOCIATION

## **\* GENERAL MEMBERSHIP MEETING \***

### SHATTERING THE GLASS CEILING WITHOUT GETTING CUT

**Speaker:** HOLLY ENGLISH, Esq., Values at Work ;  
Journalist, *The New York Law Journal, Legal Times*;  
Author, *Gender on Trial: Sexual Stereotypes and Work/Life  
Balance in the Legal Workplace*

Copies of Ms. English's book will be available for purchase  
and signing

**Date:** WEDNESDAY, APRIL 28, 2004  
5:30 – 8:30 P.M.  
WINE, APPETIZERS AND BUFFET DINNER

**Place:** SAM'S OF GEDNEY WAY  
52 Gedney Way, White Plains, New York

**Cost:** MEMBERS - \$50 PRE-REGISTRATION (by 4/21/04);  
\$60 AT THE DOOR  
NON-MEMBERS - \$75 PRE-REGISTRATION;  
\$85 AT THE DOOR

*Please R.S.V.P. and make checks payable to "WWBA" on or before April 21, 2004 to  
administrative assistant Maureen Arcesi at McCarthy, Fingar, et al., 11 Martine  
Avenue, 12<sup>th</sup> Floor, White Plains, NY 10606, tel. no. (914) 946-3700,  
fax no. (914) 946-0134 and e-mail at marcesi@mfdds.com.*

*Given the fact that we must guarantee a certain number of attendees, please note that if  
you do not pay in advance by April 21, 2004, we will have to charge the additional \$10  
at the door.*

# RESERVE THE DATE!

The Westchester Women's Bar Association  
cordially invites you to attend its

## Annual Dinner and Installation of Officers

Wednesday, June 9, 2004  
Cocktails 6:00PM • Dinner 7:30PM

**Mamaroneck Beach & Yacht Club**  
Mamaroneck, New York  
914-698-1130

\$100 per person  
\$110 per person after May 10, 2004

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**Invitations to be mailed on April 29, 2004**  
*Directions and an RSVP form is provided on the back of this flyer.*

For questions regarding the event, please  
Call Susan M. Damplo, Annual Dinner Co-Chair  
at 693-2476 or email [sdamplo@aol.com](mailto:sdamplo@aol.com)

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**Directions to Mamaroneck Beach & Yacht Club**  
**Foot of South Barry Avenue, Mamaroneck, NY**

**New England Thruway North:** Exit 18A (Fenimore Road). Turn right at end of exit ramp onto Fenimore Road. Proceed to end of road and turn left onto Boston Post Road. Proceed to second traffic light and turn right onto South Barry Avenue. Continue straight to end of road and Club House.

**New England Thruway South:** Exit 18A (Mamaroneck Avenue). Turn right at end of exit ramp onto Mamaroneck Avenue. Turn left at first traffic light onto North Barry Avenue. Continue 1 mile to end of road and Club House.

**Hutchinson River Parkway (North or South):** Exit 23S (Mamaroneck Avenue). Turn right off exit ramp onto Mamaroneck Avenue. Proceed 1.75 miles and turn left onto North Barry Avenue (first light after New England overpass). Continue 1 mile to end of road and Club House.



