NEW YORK STATE BAR ASSOCIATION

# NYSBA CLE

**Thursday, November 15, 2012**
*Concierge Conference Center*
*New York City*

**Friday, November 16, 2012**
*New York State Bar Association*
*Albany*

**Can't attend in person?**

This program is available live and via a simultaneous live webcast option.

Newly admitted attorneys (less than twenty-four months) must attend the program in person to receive New York MCLE credit.

7.5 MCLE Credits

**INCLUDES 1.0 ethics credits**

See inside for more details.

# ABCs of Adoption:
## What Family Law Practitioners Need to Know

**Topics to be addressed include:**

- International Adoptions
- Interstate Compact on the Placement of Children
- The Indian Child Welfare Act
- Assisted Reproductive Technology
- Ethical Considerations

## Register Now!

**Save Money, and Guarantee Your Seat at the Program!!!**

**NYSBA Co-sponsors:**
Committee on Children and the Law
Family Law Section
Committee on Continuing Legal Education

NYSBA

# Program Description

This program has been developed to provide Family Law practitioners with specific detailed information regarding particular aspects of law which impact both adoption and child welfare cases. The information will assist attorneys in better representing their clients, especially where such cases intersect.

This program is appropriate also for caseworkers and social workers who wish to learn more about adoption practices.

**Who Should Attend:** Family Law Practitioners; General Practitioners; Professionals involved in the Adoption process; those seeking an overview of the Adoption process.

# Agenda

**8:30 – 9:00 a.m. Registration**

**9:00 – 10:15 a.m.**
**International Adoptions**

- General Requirements
- Processing BCIS approvals for Hague countries and Non-Hague countries
- Humanitarian parole issues
- Re-adoption in the U.S.
- Outgoing adoptions

**10:15 – 10:40 a.m.**
**ICPC – Interstate Compact on the Placement of Children. The ICPC is a contract among member states and U.S. territories authorizing them to work together to ensure that children who are placed across state lines for foster care or adoption receive adequate protection and support services.**

- What is ICPC?
- How does it apply to adoptions and foster care?
- Complying with ICPC – what is required in NY?
- Consequences for failure to comply

**10:40 – 10:55 a.m. Refreshment Break**

**10:55 – 11:20 a.m.**
**Home Study – Home studies are required for nearly all adoptions.**

- Statutory requirements, issues considered
- Who can perform a home study?
- When and how is it completed?
- Preparing your client for a home study

**11:20 a.m. – 12:20 p.m.**
**ICWA – The Indian Child Welfare Act. The Indian Child Welfare Act (ICWA), which was adopted by Congress in 1978, applies to child custody and adoption proceedings in state courts involving "Indian" children – children of Native American ancestry or Alaskan ancestry. In certain situations, the tribe may overrule parental preferences.**

- Overview of ICWA
- When does it apply?
- Exceptions
- Recent case law developments

**12:20 – 1:20 p.m. Lunch** (on your own)

**1:20 – 2:10 p.m.**
**Post Adoption Contact Agreements/Open Adoptions – Many adoptions are "open". Since 2005 the agreements between birth parents and adoptive parents may be enforceable.**

- Statutory requirements
- Recent case law
- Negotiation
- Practical consideration

**2:10 – 3:00 p.m.**
**Subsidies – Many adoptive children are eligible for State and Federally sponsored subsidies to encourage placement of children in permanent homes.**

- Source of subsidies
- Types of subsidies
- Application and approval process
- Appeals for denials
- Impact of disruption of adoption

**3:00 – 3:10 p.m. Refreshment Break**

**3:10 – 4:00 p.m.**
**ARTS/Surrogacy – Assisted Reproductive Technologies. Legal representation includes working with traditional surrogates, gestational carriers, and intended parents, and drafting agreements to protect a client's rights in this complex and developing area of practice.**

- Current law
- Recent developments
- Medical issues
- Upcoming legislation

**4:00 – 4:50 p.m.**
**Ethics – case studies of ethical dilemmas encountered in adoption cases**

**4:50 – 5:00 p.m. Questions**

**5:00 p.m. Adjournment**

## 7.5 MCLE CREDITS:
6.5 Professional Practice; 1.0 Ethics.

This course has been approved for MCLE credit in **New York** for all attorneys, **including** newly admitted (less than 24 months). Newly admitted attorneys must attend the program in person to receive New York MCLE credit.

This program has also been approved for MCLE credit by the **State Bar of California** and the **Pennsylvania Continuing Legal Education Board** for **5.5** credit hours of substantive law and **1.0** credit hours of ethics. All inquiries regarding MCLE credits may be directed to **(518) 487-5606**.

This program has been approved by the **Board on Continuing Legal Education of the Supreme Court of New Jersey** for **7.5** hours of total CLE credit. Of these, **1.0** qualify as hours of credit for ethics/professionalism, and 0 qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law. This course does not qualify under any of the nine specified new admit areas, in five of which New Jersey attorneys admitted in 2009 or thereafter, in their first full two-year compliance period, must take 15 of their 24 required credit hours (see BCLE Reg. 201:2).

The New York State Bar Association's Committee on Continuing Legal Education has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York.

**IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED.** Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

# Program Faculty

**Program Chair**

**Anne Reynolds Copps**
Principal
Law Office of Anne Reynolds Copps
Albany, New York

**Speakers**

**New York City**

**Jaron Ben-Shalom**, Director of Adoptions, New York City Administration for Children's Services, New York, New York * **Laurie E. Braun**, Principal, Laurie E. Braun Attorney At Law, New York, New York * **Melissa B. Brisman**, Principal, Melissa B. Brisman, Esq., LLC, Montvale, New Jersey * **Kathy Brodsky**, Director, Ametz Adoption Program, Jewish Child Care Association, New York, New York * **Barry Chaffkin**, CEO and Co-Founder, Fostering Change for Children, Rocky Point, New York * Gregory Franklin, Partner, Ashcraft Franklin Young & Peters, LLP, Rochester, New York * **Laurie Goldheim**, Principal, Law Offices of Laurie B. Goldheim, Nanuet, New York * **Michael S. Goldstein**, Principal, Law Office of Michael S. Goldstein, Rye Brook, New York * **Ray Kimmelman**, Director of Legal Compliance, City of New York, Administration for Children's Services (ACS), Division of Family Court Legal Services (FCLS), New York, New York * **Rebecca Mendel**, Partner, Rosin Steinhagen Mendel, New York, New York * **Benjamin J. Rosin**, Partner, Rosin Steinhagen Mendel, New York, New York * **Denise Seidelman**, Partner, Rumbold and Seidelman, Bronxville, New York * **Dawn Smith-Pliner**, Founder and Director, Friends in Adoption, Middletown Springs, Vermont.

**Albany**

**Kate Kaufman Burns**, Executive Director, Adoption Resources & Counseling Center, Inc., Clifton Park, New York * **Anne Reynolds Copps**, Principal, Law Office of Anne Reynolds Copps, Albany, New York * **Kathleen "Casey" Copps DiPaola**, Associate, Law Office of Anne Reynolds Copps, Albany, New York * **Michael S. Goldstein**, Principal, Law Office of Michael S. Goldstein, Rye Brook, New York * **James J. Green**, Attorney, Albany County Department of Children, Youth, and Families, Albany, New York * **Brendan C. O'Shea**, Partner, Gleason Dunn Walsh & O'Shea, Albany, New York * **Laurie Coreno Reynolds**, Licensed Mental Health Counselor, Clifton Park, New York * **Nina Rumbold**, Partner, Rumbold and Seidelman, Bronxville, New York * **John E. Stupp**, Assistant Deputy Council, New York State Office of Children & Family Service, Rensselaer, New York.

# Information and Policies

**Pre-registration Strongly Advised:** You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis.

**Cancellations are easy – full refunds are given:** Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) on the day prior to the date of the program for which you registered. To cancel, write the State Bar Service Center at One Elk Street, Albany, New York 12207; or fax **(518) 487-5618**; or call **(800) 582-2452**. If you do not cancel and do not attend the program, access to a complete set of course materials in PDF format will be forwarded to you via e-mail in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.

**MCLE Credit:** This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions.

**Tuition Assistance:** New York Attorneys may apply for tuition assistance to attend this program based on financial hardship. Any New York attorney who has a genuine financial hardship may apply for tuition assistance for a CLE program by completing a *Tuition Assistance Request Form* and returning it to the CLE Department no later than five working days prior to the program, explaining the basis of his/her hardship. If granted, the attorney will receive tuition assistance, depending on the individual's circumstances. For more details, please contact our State Bar Service Center at **(800) 582-2452**.

**Group Discounts:** Subject to availability and exclusions, group discounts are available to law firms and organizations sending 3 or more employees to any one NYSBA CLE program. Please contact Jane Nielsen, at (518) 487-5586 for more information.

**CLE Coupon Plan**: For more information on our CLE Coupon Plan offering substantial savings on full-day, live programs, please contact the Registrar's Office at 1.800.582.2452.

**Recording of NYSBA Seminars in any form is strictly prohibited.**

**Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Cindy O'Brien at (518) 487-5585 or cobrien@nysba.org


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NYSBACLE
ELECTRONIC COURSE MATERIALS

**New this Fall:** All program materials will be distributed exclusively online in searchable PDF format, allowing attendees more flexibility in storing this information and allowing you to copy and paste relevant portions of the materials for specific use in your practice. A CLE NotePad© (paper) will be provided to all attendees at the live program site. The CLE NotePad© includes lined pages for taking notes on each topic, as well as any PowerPoint presentations submitted prior to printing. Traditional printed course books can be ordered at the program site for a discounted price and will be shipped subsequent to the program date.


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## 4 WAYS TO REGISTER

**Online** www.nysba.org/CLE

**Call** **1.800.582.2452** (U.S. and Canada) or **518.463.3724** in Albany & surrounding area

**Download** an order form online at **www.nysba.org/CLEOrderForm** and

**Mail** State Bar Service Center
New York State Bar Association
One Elk Street
Albany, NY 12207

**Fax** **518.463.5993**

**Pricing** **NYSBA members: $150.00**
Non-members: $250.00
Students: $45.00

**Note** Registration fees for live programs increase ten days prior to the program date.

**Source Code: CL4054**

# Program Locations

**Important Note:** If you plan to pre-register within 10 days of the program or register at the door, please call us at **(800) 582-2452** or in Albany and surrounding area, dial **(518) 463-3724**, to verify that the program is not sold out or that the date or location has not been changed. Those who pre-register in advance of the program will automatically be notified of any such changes and will receive a full refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please pre-register as early as possible.

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| Thursday<br>November 15, 2012<br>**New York City**<br>*PC: (0D024)* | **Concierge Conference Center**<br>780 Third Avenue<br>New York, New York<br>212-735-0072 |
| Friday<br>November 16, 2012<br>**Albany**<br>*PC: (0D021)* | **New York State Bar Association**<br>1 Elk Street<br>Albany, New York<br>518-463-3200 |

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**See our Fall 2012 schedule online at www.nysba.org/cle**

**REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!**

NYSBA **CLE** *presents*

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## What Family Law Practitioners Need to Know

7.5 MCLE Credits

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See inside for more details.

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NEW YORK STATE BAR ASSOCIATION
**CONTINUING LEGAL EDUCATION**

**Mail to:** State Bar Service Center
New York State Bar Association
One Elk Street, Albany, NY 12207

**Registrant note:** is your name and address listed correctly on the mailing label at the right? If not, fill in correction below and return this page to NYSBA. If you receive multiple copies of this brochure, please pass them along to colleagues who may be interested in this program.

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