

Eighth Annual Edith I. Spivack Symposium

Sponsored by the Committee On Women In The Law

Tuesday, January 24, 2012
Hilton New York
1335 Avenue of the Americas, New York City
9:00 a.m. to 4:15 p.m.
Networking Reception 4:15 p.m. to 5:30 p.m.

IMPORTANT INFORMATION

Under New York's MCLE rule, this transitional program has been approved for 6 credit hours, 4.0 in skills and 2.0 in ethics for all attorneys.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under that policy, any member of our Association or non-member who has a genuine basis of his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received ten days prior to the start of the program. For more details, please contact Andria Bentley at New York State Bar Association, One Elk Street, Albany, New York 12207.

COMMITTEE ON WOMEN IN THE LAW PRESENTS

The Secrets to Her Success: Trials, Tribulations and Tips of Women Trial and Appellate Lawyers

Committee Chairs

Sharon M. Porcellio, Esq., Rochester

Anna S. Park, Esq., New York City

Program Chairs

Terri A. Mazur, Esq.

New York City

Kathleen A. Lyons, Esq.

Armonk

"Where are the Women Litigators?" This question was recently asked by judges in the First Department and Southern District of New York. Their informal survey showed women's participation in commercial litigation at the trial and appellate levels was far lower than their representation in law firms. Why does this discrepancy persist? What can women litigators do to change the numbers? The Committee on Women in the Law is pleased to offer a program spotlighting the strategies used by women lawyers for taking lead roles in trial and appellate work in both state and federal courts. An expert in the field of ethics and professional responsibility will also examine a number of ethical issues that arise while preparing for trial, in the courtroom and handling appeals.

- 9:00 a.m. – 9:20 a.m. Registration**
- 9:20 a.m. – 9:30 a.m. Opening Remarks**
- 9:30 a.m. – 9:55 a.m. Keynote Speech: Finding the Keys to the Courtroom
Lorna G. Schofield, Esq.**

Like modern-day knights, litigators go to battle for their clients, zealously fighting for what is just or what the client believes is just. In practice, women litigators successfully overcome obstacles by developing and employing litigation skills associated with the "battlefield" of high-stakes commercial litigation. Drawing on her experiences litigating as an attorney in a large private firm and as an Assistant United States Attorney, our keynote speaker will share her secrets for meeting these challenges while examining strategies for trial advocacy, client contact, attorney-to-attorney communications, and negotiating techniques.

Tips from the Top: Taking Charge and Becoming a Leading Litigator

In today's legal market, it is important for litigators to use their work at the trial and appellate levels to raise their profile. Discover how to build on the fundamental skills of communication and advocacy in order to maximize your effectiveness and success as a litigator. This segment features a panel of attorneys specializing in commercial litigation, labor and employment, corporate governance, and public corruption, who have successfully taken the lead in litigation. They will be joined by a consultant who advises women in the legal profession. Together, they will share their strategies on how to overcome roadblocks and move up the ladder.

9:55 a.m. – 11:10 a.m. Building on the Keynote Speech, the panelists will discuss strategies for becoming an effective litigator. The discussion will highlight:

- Successful techniques used in labor and employment litigation including methods for defending government agencies against class action discrimination lawsuits; advancing persuasive argument at administrative agency hearings; and navigating arbitrations, mediations, and other forms of alternative dispute resolution
- Skills used in corporate governance, including gainfully using testimony from employee interviews in internal and independent investigations, negotiating with regulators in white collar criminal investigations, and conducting productive discovery in business fraud, professional liability, and corporate bankruptcy actions
- Powerful litigation techniques in government investigations from a prosecutor's perspective, such as effective document requests, best practices for introducing evidence, and conducting successful interviews in public corruption cases

Panelists: **Honorable Shira A. Scheindlin:** United States District Judge, Southern District of New York, New York City
Lorna G. Schofield, Esq.: Of Counsel, Debevoise & Plimpton LLP, New York City
Kathleen M. Comfrey, Esq.: New York City Law Department, Labor & Employment Litigation Division, New York City
Carrie H. Cohen, Esq.: Assistant United States Attorney, Southern District of New York, New York City
Brande Stellings, J.D.: Vice President, Advisory Services, Professional Services Practice, Catalyst, New York City

Moderators: **Ferve E. Ozturk, Esq.:** Associate, Baker Hostetler, New York City
Melissa Candelaria Lee, Esq.: Mental Hygiene Legal Service, Brooklyn

11:25 a.m. – 1:05 p.m. Trial, Error and Appeal

What makes juries listen? How do you preserve errors before, during and after trial? Can you effectively prepare key executives and difficult witnesses to testify? How do you deal with adverse authority in briefs and oral argument? Our experienced panel of trial and appellate lawyers and a nationally-recognized jury consultant will offer new approaches to these and other issues which arise in trial and appellate work, including how to turn an appellate practice into becoming the "law" expert for trials. The jury consultant will discuss how today's tech-addicted jurors view litigation, demonstrative evidence, and how gender may impact deliberations. The panel will also discuss various options for presenting evidence, how to prepare key executives for testifying, making demonstrative evidence work, and provide practical tips on how to protect your witness prep session from discovery so that you can successfully advocate with credibility.

Panelists: **Lauren Rosenblum Goldman, Esq.:** Partner, Supreme Court and Appellate Practice, Mayer Brown, New York City
Robin N. Gregory, Esq.: Partner, Wilson Elser Moskowitz Edelman & Dicker LLP, New York City
Laurie Kuslansky, Ph.D.: Director of Business Development, Jury Consultant, TrialGraphix, New York City

Moderators: **Linda Redlisky, Esq.:** Partner, Rafferty & Redlisky, Rye Brook
Debra Vey Voda-Hamilton, Esq.: Hamilton Law & Mediation PLLC, Armonk

**1:15 p.m. – 2:15 p.m. Luncheon
Presentation of Kay Crawford Murray award to Pamela Jones Harbour**

2:30 p.m. – 4:10 p.m. Win at Any Cost: How to Avoid Ethical issues in Litigation

In these difficult economic times, there is increasing pressure for lawyers to produce positive results for their clients. In litigation, attorneys are often told to "win at any cost." How can litigators produce results and still walk the line between ethical and unethical behavior. Using real life examples, our expert in the field of Ethics and Professional Responsibility will review how the New York Lawyer's Code of Professional Responsibility can impact on issues arising before, during and after trial and on appeal. The expert will discuss ethical issues that often arise in the litigation and appellate arena, including contempt proceedings, candor before a tribunal, civility, zealous representation, the duty to raise adverse authority, and issues arising out of splitting fees and referrals.

Panelist: **Sarah Jo Hamilton, Esq.:** Scalise & Hamilton LLP, Scarsdale
Moderator: **Roberta Bender, Esq.:** Deputy General Counsel, Metropolitan Transportation Authority, New York City

4:10 p.m. – 4:15 p.m. Closing Remarks

4:15 p.m. – 5:30 p.m. Networking Reception

(Please register separately for networking reception at www.nysba.org/AM2012)



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 Tara Messenger at 518-487-5561.



For overnight room accommodations, please call the Hilton New York at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$259.00 for single/double occupancy. Reservations must be made by Friday, December 23, 2011. You also can reserve your overnight room on the web at www.nysba.org/12accomm.



For questions about this specific program, please contact Tara Messenger at 518-487-5561. **For registration questions only, please call 518-487-5621. Fax registration form to 866-680-0946.**

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