

Annual Reports

*Local Gender Bias and
Gender Fairness Committees*

2001-2002

*Local Gender Bias and Gender Fairness Committees
Annual Reports 2001-2002*

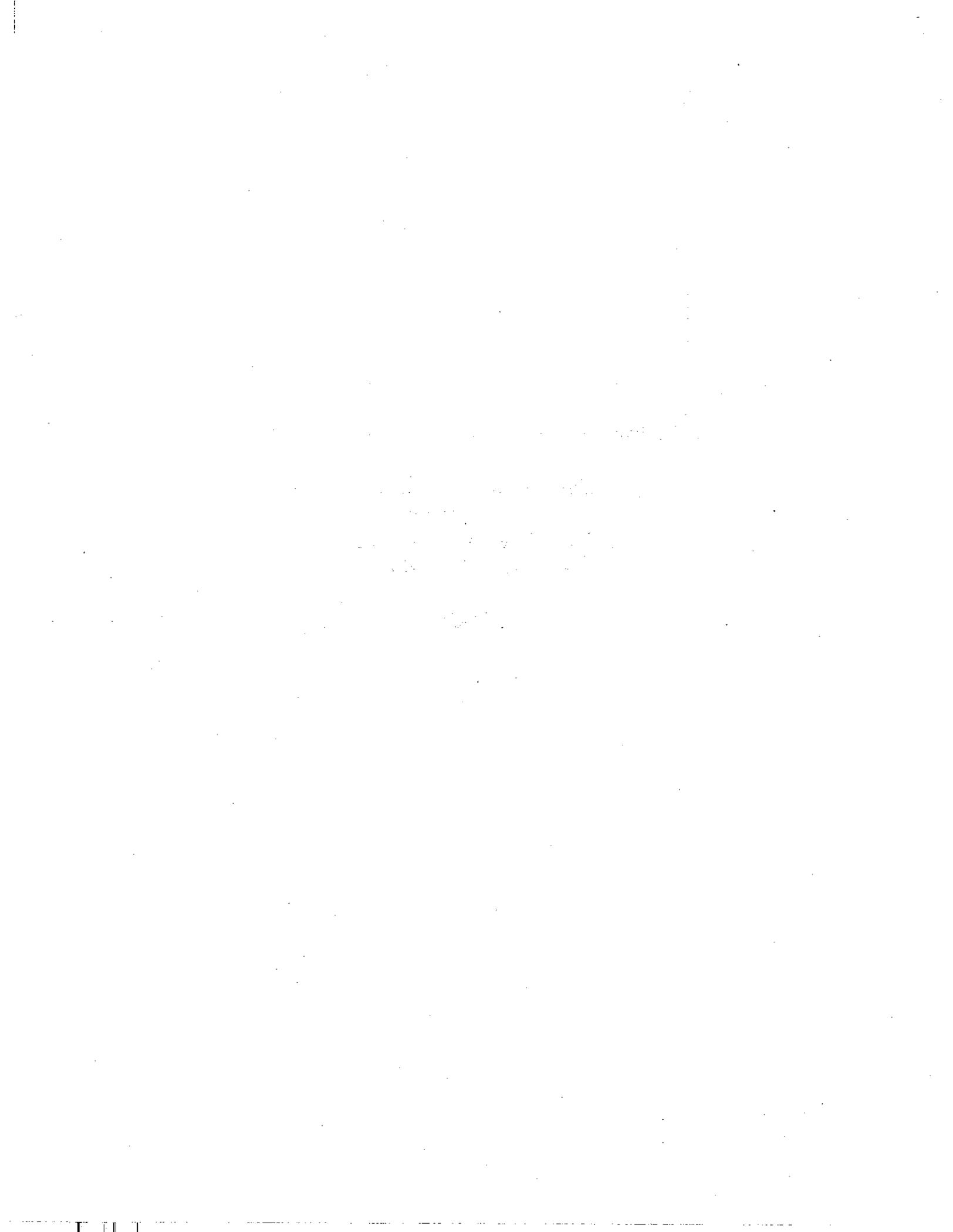
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Third Judicial District Gender Fairness Committee

Hon. Leslie Stein, Chair
Albany City Court
Albany City Hall, Room 209
Albany, NY 12207

518-434-5112



LOCAL COMMITTEES 2001-2002

Name of the Committee Third Judicial District Gender Fairness Comm

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

Hon. Leslie E. Stern, Albany Co. Courthouse Room 201,

16 Eagle St, Albany, NY 12207

(518) 487-5835 Fax-(518) 487-5839 e-mail: lstein@courts.state.ny.us

Meeting Dates in the Past Year May 9, 2001, Sept. 13, 2001

Activities for Domestic Violence Awareness Month 2001 _____

Written materials from the NYS Office for the Prevention of Domestic Violence were made available to all Commissioners of Jurors, Family Court Chief Clerks and City Court Chief Clerks in the Third Judicial Districts for display and distribution.

Activities for Women's History Month 2002 _____

Due to various circumstances, the Committee was unable to meet between Sept. 13, 2001 and March 2002. Therefore, no organized activities were conducted.

Other Activities in the Past Year _____

See annexed Addendum

Plans for Next Year _____

see annexed Addendum

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004

THIRD JUDICIAL DISTRICT GENDER FAIRNESS COMMITTEE
ADDENDUM TO 2001 ANNUAL REPORT

Other Activities in the Past Year

A new chair of the Committee was appointed in March 2001, due to the appointment of Hon. Victoria A. Graffeo to the Court of Appeals.

At the first meeting of the year held on May 9, 2001, the Committee heard a presentation by Julia L. Masch, Esq., legal training coordinator for the New York State Office for the Prevention of Domestic Violence. Ms. Masch discussed issues and unique characteristics about domestic violence, tactics used to keep victims in abusive relationships and means of protecting victims' safety, recognizing the fact that the judicial system, alone, cannot guarantee such safety.

Following the presentation by Ms. Masch, the Committee was introduced to Alice Chapman, UCS Workforce Diversity Administrator. Ms. Chapman discussed the role of the UCS Workforce Diversity Office and the Office of the Special Inspector General for Bias Matters and explained the process by which complaints are handled. She also described a program on sexual harassment provided for court staff and judges and reviewed the gender fairness complaint process. She also spoke about the Alternative Dispute Resolution program under development for court employees.

The Committee chair also distributed a survey, soliciting ideas for future speakers and projects that the Committee might wish to undertake.

At the meeting on September 13, 2001, presentations were made by Bernadette Felch and Karis Bowder, Family Court Advocates for the Equinox Domestic Violence Program of Albany. They explained that their services are made available to every person in the Albany County Family Court who is involved in a family offense, including custody and visitation matters, that they see victims through the Court process and assist with social service, education, medical and employment issues. Equinox also provides an emergency shelter, counseling, case management and community education.

The Committee also received a report from Christian Spies, Chief Clerk of the Schoharie Supreme and County Court, regarding the Schoharie County Family Connections Project for supervised visitation. Mr. Spies advised that referrals are being made from Family Court, child protective services and other agencies. The project also sponsors a Cooperative Parenting and Divorce Program for parents demonstrating mild to moderate levels of parental conflict.

In addition, Hon. George B. Ceresia, Jr. of the Rensselaer County Supreme Court presented an update on the Rensselaer County Integrated Part. Under this program, which was initiated by Chief Judge Kaye (and commenced in October 2001), domestic violence cases in County, City, Town and Village Courts are removed to the Supreme Court Integrated Part if the same litigants are involved in a pending matrimonial case in Supreme Court or in a Family Court case of any type. Once removed to the Supreme Court, all such related cases are assigned to and heard by the same Judge. The benefit of this program is that the outcome of cases will be more consistent and that it will eliminate judge shopping and simultaneous proceedings in multiple courts.

Plans for Next Year

Based upon feedback from Committee members and as a follow-up to the Committee's activities in 2001, the following are tentatively planned:

1. A comprehensive presentation by Alice Chapman, UCS Workforce Diversity Administrator, and by Desiree Kim, Special Inspector General for Bias Matters
2. A speaker from a batterers' intervention program
3. A presentation on the UCS Alternative Dispute Resolution program
4. Programs for Domestic Violence Awareness Month and Women's History Month to be determined

Fourth Judicial District Gender Fairness Committee

Eileen Kassner, Esq.
Chambers of Hon. Vincent Reilly, Jr
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518-388-4322

Nicole Duve, Esq.
Court Attorney
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588-481-1732

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT
5720 S. UNIVERSITY AVE.
CHICAGO, ILL. 60637

1964

PHYSICS DEPARTMENT
5720 S. UNIVERSITY AVE.
CHICAGO, ILL. 60637

1964

LOCAL COMMITTEES 2001-2002

Name of the Committee: Fourth Judicial District Committee on Women in the Courts

Names, Addresses, Telephone and Fax Numbers and E-mail Addresses of the Co-Chairs:

Eileen Kassner, Esq.
Principal Law Clerk to Judge
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A copy of the updated list of committee members is attached.

Meeting Dates in the Past Year: April 10, 2001; June 15, 2001; March 25, 2002

Activities for Domestic Violence Awareness Month 2001:

A district wide memo was circulated to all Chief Clerks, Deputy Chief Clerks, Commissioners of Jurors and Law Librarians apprising them of Domestic Violence Awareness Month and providing them with a variety of materials for posting and dissemination to court staff and the public. Among these materials were the UCS Domestic Violence Policy and the UCS Domestic Violence Policy for Supervisors. A copy of the memo is attached.

On October 2, 2001, Donna Caravella, Chief Clerk of Family Court in Montgomery County, and Melanie Hartman, Chief Clerk of City Court in Amsterdam, attended a Proclamation Ceremony to kick off Domestic Violence Awareness Month. Speakers included the Domestic Violence Services Program Director, the Commissioner of Social Services, the Director of the Child Advocacy Program, the Chairperson of the Board of Supervisors, Assemblyman Paul Tonko and a representative from Senator Hugh Farley's office.

Throughout the month informational tables were set up in Clinton, Montgomery and Schenectady counties which were staffed at various times with local domestic violence advocates. Materials were provided by local task force agencies and the Unified Court System. In each county there were also clothesline displays carrying tee shirts with messages designed by victims of domestic violence.

Eileen Kassner, co-chair of our district committee, attended the annual luncheon hosted

by the Montgomery County Task Force on Domestic Violence on October 24th. Highlights of the luncheon included guest speaker Lydia Kulbida, Anchorwoman at WNYT, a domestic violence survivor story and an awards ceremony for the winners of a poster/essay contest among elementary through high school students at all schools in the county. A copy of the invitation is attached.

On October 30th the Schenectady County YWCA conducted a domestic violence presentation at the Schenectady County Courthouse. An invitation was extended throughout the district to judicial and non-judicial personnel, as well as members of the public, to attend. A copy of the memo and press release are attached.

Activities for Women's History Month 2002:

Distribution and posting of posters depicting famous women in history.

An Inspirational Lunch and Learn program was held at the Schenectady County Courthouse. Once each week during the month of March different speakers were invited to address those in attendance about what it is like to be a female employee in the court system.

Other Activities in the Past Year:

SEXUAL HARASSMENT TRAINING: (non judicial)

<u>Date Held</u>	<u>Location</u>	<u>Instructor</u>	<u># of Employees</u>
January 4,5/01	Clinton County	Richard E. Cantwell	27
July 11	St. Lawrence County	Connie Martin/Steve Easter	43
July 16	Saratoga County	Jim Armour/Kathleen Cullen	45
July 23	Saratoga County	Jim Armour/Kathleen Cullen	51
July 24	Saratoga County	Jim Armour/Kathleen Cullen	51
July 26	Saratoga County	Jim Armour/Kathleen Cullen	54
September 7	Essex County	Connie Martin/Steve Easter	46
November 2	Saratoga County	Jim Armour/Kathleen Cullen	12

This training was for court personnel, except Court Managers. They had previously attended seminars in Albany on June 23, 1999.

SEXUAL HARASSMENT EDUCATION UPDATE: (judicial)

June 15 Saratoga County Dean Silverberg, Esq. 41

A copy of the agenda is attached.

NEW EMPLOYEE ORIENTATION:

April 27 Saratoga County (See Agenda) 32

Presentation of Equal Employment Opportunity and Sexual Harassment elements were presented by Nicole Duvé, Co Chair of the Women in the Courts Committee for the District. A copy of the agenda is attached.

TRANSITION TO SUPERVISOR:

May 1,2 Syracuse 2

The role of supervisors in regard to Equal Employment Opportunity Laws and UCS policies and procedures covering bias and sexual harassment are covered as an element of this program.

COURT MANAGERS ANNUAL MEETING:

May 4 Saratoga County 55

Presentations by Alice Chapman on Workforce Diversity/Anti-Discrimination Panels and by Nicole Duvé on Program Initiatives were made to Court Managers. A copy of the agenda and handout sheet noting related items is attached.

BEST PRACTICES SEMINARS:

Spring Montgomery County Eileen Kassner

June Schenectady County Eileen Kassner

November 16 Franklin County Nicole Duvé

Presentations on the Unified Court System's policy on sexual harassment were made as part of the Best Practices seminars organized in various counties to provide continuing legal education to attorneys.

FAMILY VIOLENCE TASK FORCE:

On May 11, 2001 the Family Violence Task Force, chaired by Hon. Anthony Cardona and Hon. Sondra Miller, in conjunction with the Education and Training Unit of the Unified Court System presented a seminar regarding the enforcement of orders of protection in criminal, matrimonial and Family Court cases. Judges at all levels from across the district were invited to attend.

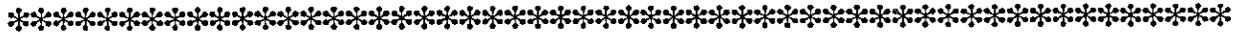
Plans for Next Year:

Last year the committee's primary focus was on sexual harassment training and awareness. In 2002 we will continue to avail ourselves of the opportunities to raise awareness in this area through established employee orientation and training programs and the best practices seminars as they come about. The next best practices seminar will be in St. Lawrence County on May 10, 2002.

This year our focus will shift to training and awareness on issues concerning domestic violence. Presently, COMLINKS, a community action agency in Franklin County, is organizing a domestic violence training session, to take place on October 1, 2002. This session will target judges, town and village justices and attorneys in Franklin and Essex Counties and may be expanded to include other counties as well.

Additionally, we have a variety of ideas for new events including a crime prevention/self defense program; a career day; a possible book signing by women authors; and establishing or participating in an already established program to harvest unwanted cellular telephones to allow domestic violence victims to call 911 when in danger.

**FOURTH JUDICIAL DISTRICT
COMMITTEE ON WOMEN IN THE COURTS**



Chairs:

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Ex officio member:

District Administrative Judge



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GBList
N:\WP61\CATHYY\GenderBias\GBList
February 25, 2002 (10:18AM)



STATE OF NEW YORK
UNIFIED COURT SYSTEM
FOURTH JUDICIAL DISTRICT
65 SOUTH BROADWAY, SUITE 101
SARATOGA SPRINGS, NEW YORK 12866
(518) 587-3019
FAX (518) 587-3179

JONATHAN LIPPMAN
Chief Administrative Judge

JOSEPH J. TRAFICANTI, JR.
Deputy Chief Administrative Judge
Courts Outside New York City

October 2, 2001

JAN H. PLUMADORE
District Administrative Judge
Fourth Judicial District

RONALD M. STOUT, JR.
Executive Assistant

MEMORANDUM

M-309-01

To: All Chief Clerks, Deputy Chief Clerks, Commissioners of Jurors,
and Law Librarians

From: Ronald M. Stout, Jr. *mg*

Re: Domestic Violence Awareness Month

October is designated as Domestic Violence Awareness Month. This is a time which offers many opportunities to learn about domestic violence, to increase public and workplace awareness, education and sensitivity.

It is also an opportunity to review the Unified Court System's responses to this serious issue. Enclosed is a reissue of a memo from Hon. Jonathan Lippman on the Unified Court System's Domestic Violence Policy and the UCS Domestic Violence Policy for Supervisors. These should be reviewed by all court managers with particular attention paid to situations which may arise in the workplace.

It is also requested that you print the attached documents - **Domestic Violence Policy and How to Talk with Someone Who Is Being Abused** and distribute them to each member of the court staff. For those who hold staff meetings, you may wish to review and discuss this information at that time.

Under separate cover, you will be receiving a number of resource materials:

- Poster:** Please post on the court's bulletin board.
- Booklet:** *Domestic Violence - It is your business* which is an employer handbook and resource guide.

M-309-01

Booklet: *Finding Safety & Support*. It is intended for those who are victims of domestic violence. You may wish to make this booklet available to employees and to advise them that it is available on line at http://www.opdv.state.ny.us/about_dv/fss/acknow.html.

A number of Judges and court personnel serve on Domestic Violence Task Forces. In various counties (Clinton, Montgomery and Schenectady) the task forces have planned events which include displays in courthouse lobbies and in county office buildings. The displays contain informational materials which are available to the public, and to those who work in county departments and in the courts. In many instances, widespread publicity will be given to events which focus on domestic violence education and awareness.

In Schenectady County, Eileen Kassner, Co-Chair of the Women in the Courts Committee in this district, has been coordinating a program with Carole Merrill-Mazurek who is the Director of the Domestic Violence Unit at the Schenectady YMCA.

In addition to the informational display in the courthouse lobby, they will be presenting a program for judges, lawyers and all professionals who work with issues of domestic violence, including interested court personnel. Details of the program are being finalized and will be forwarded to you shortly.

Your assistance in disseminating this material is appreciated. Thank you.

RMS,J/meg
Encl.

cc: Mr. Richard F. O'Connor

M-309-01

... To attend the 3rd annual
Montgomery County Task Force
on Domestic Violence
Luncheon.

Wednesday October 24, 2001
12:00 noon - 3:00
Perthshire
112 Perthshire Dr.
Perth, NY 12010

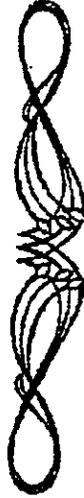
·Buffet Lunch

·Award Ceremony for Poster and Essay
Contest

·Survivor Story

·Guest Speaker

Lydia Kalbida
Anchorwoman WNYT
Channel 13



RSVP by
Thursday October 18, 2001
Peggy Carney
Catholic Charities of Montgomery County
842-3489

MEMORANDUM

TO: All Judges, Hearing Examiners, Chief Clerks, and non-judicial staff
FROM: Eileen Kassner
4th Judicial District Co-Chair, Women in the Courts Committee
RE: Domestic Violence Presentation
DATE: October 18, 2001

As you may know, October is National Domestic Violence Awareness Month. You may have noticed the clothesline of shirts made by individual victims of family violence on display across from the cafeteria on the first floor of the County Building or the table filled with written information set up in the lobby of the Courthouse.

A presentation by our local directors and advocates from the Schenectady YWCA has now been scheduled for **Tuesday, October 30, 2001 at 3:30 p.m.** The presentation will run for 90 minutes.

The officers at the Courthouse security desk will direct attendees to the appropriate Courtroom on that date, as the location cannot presently be designated.

The District Office has granted permission for all non-judicial staff to attend.

The public is cordially invited to attend a free
Domestic Violence Program to be presented
by the Directors and Advocates of the
Schenectady YWCA on

— Tuesday, October 30, 2001 at 3:30 p.m. —

The presentation will be held at the
Schenectady County Courthouse, 612 State
Street, Schenectady and provide an overview
of the dynamics of domestic violence and the
services available in our community.

*SCHENECTADY GAZETTE
OCT 28/01*

1227 25TH STREET, N.W., STE. 700
WASHINGTON, D.C. 20037-1175
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1875 CENTURY PARK EAST, STE. 500
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CHICAGO, ILLINOIS 60603-5709
(312) 845-1999

**SEXUAL HARASSMENT
EDUCATION UPDATE**

**TO
UNIFIED COURT SYSTEM
STATE OF NEW YORK**

**4th JUDICIAL DISTRICT
JUSTICES and JUDGES**

**Honorable Jan H. Plumadore
District Administrative Judge**

**Saratoga Springs, New York
June 15, 2001**

**PRESENTATION
BY
DEAN L. SILVERBERG, ESQ.**

SEXUAL HARASSMENT
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**FOURTH JUDICIAL DISTRICT
NEW EMPLOYEE ORIENTATION
District Training Conference Center
Saratoga Springs, N.Y.
April 27, 2001, 9:30 a.m.**

WELCOME: Ronald M. Stout, Jr., Executive Assistant, 4th J.D.

**INTRODUCTIONS/
AGENDA:** Marilyn Jordan, Principal Administrative Assistant, 4th J.D.

**OVERVIEW OF
THE COURTS:** Ron Stout

**PERSONNEL POLICIES
AND PROCEDURES:** Barbara Twiss, Principal Court Analyst, Human Resource
Unit

**EQUAL EMPLOYMENT
SEXUAL HARASSMENT:** Hon. Nicole Duve, Co-Chair, 4th J.D. Committee on Women in the
Courts

- LUNCH-

QUALITY SERVICE: Linda Macica, Law Librarian, Saratoga Supreme Court Library

**ETHICAL
RESPONSIBILITIES:** Marilyn Jordan

COURT SECURITY: Tom Thomas, UCO, Saratoga Family Court

**TB, HEPATITUS C
AWARENESS:** Kathleen LaBelle, Chief Clerk, Washington Supreme/County
Courts

**BACK AT YOUR COURT/
SUMMARY** Marilyn Jordan

CSEA PRESENTATION: Loralee Whitlock, CSEA President

orientation42701

**FOURTH JUDICIAL DISTRICT
COURT MANAGERS SPRING MEETING
HILTON GARDEN INN, SARATOGA SPRINGS, N.Y.
Friday, May 4, 2001 at 9:30 a.m.**

WELCOME: Ron Stout

PUBLIC TRUST AND CONFIDENCE:

Report from National Association of Court Management Conference: Jim Bouchey/Bill Murphy/Steve Russo

Report from Jury Summit: Connie Martin

Quality Service in the Courts: Marilyn Jordan

Conflict Prevention, Management and Resolution: Ron Stout

Public Outreach and Education: Marilyn Jordan

WOMEN IN THE COURTS: Alice Chapman/Nicole Duve/Eileen Kassner

Workforce Diversity/Anti Discrimination Panels/Procedures: Alice Chapman
Video: *EEO Compliance for Supervisors and Managers*

Program for Fourth District: Hon. Nicole Duve and Eileen Kassner, Esq., Co-Chairs
Sexual Harassment:

LUNCH BREAK

DRUG COURTS: Mizzie Diamond/Kathi Chaplin/Cindy Heady-Marsh

Drug Courts - Status Report - State and Fourth Judicial District
Video - *"Cracking the Habit: Drug Courts in Action"*

HUMAN RESOURCE ISSUES:

Classification Plan Update for Chief Clerk, Clerical, Security, and Law Clerk series:
Michael Miller, Director of Personnel and Jeanne Colucci, Deputy Director of Personnel

Guidelines for Screening, Interviewing and Selection (handout): Marilyn Jordan

Opportunities for Continuing Education: Ron Stout

AUTOMATION: Ron Stout

- Status of automation throughout the district
- Support staff in each building
- Training in ADBM, Groupwise, WordPerfect
- Internet Passwords and e-mail policy (handout)
- Web Page development
- Problem Reporting

SUMMARY: Ron Stout

5/1/01

CourtMgrsSpringMtg01

COURT MANAGERS SPRING MEETING
May 4, 2001



HANDOUTS



- NACM - National Association For Court Managers**
 - Membership Information
 - The Court Administrator
 - Public Trust and Confidence Issues (3 papers)
- Office of the Special Inspector General for Bias Matters - (2 fact sheets)**
- Zero Tolerance - A newsletter of the Montgomery County Task Force on Domestic Violence**
- Electronic Mail Policy**
- Internet Policy**
- Guidelines for Screening, Interviewing and Selection**
- Speaking in Public**

Fifth Judicial District Committee

Hon. Martha Walsh Hood, Chair
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Onondaga County Courthouse
Syracuse, New York 13202

315-435-2054

1911

1912

1913

LOCAL COMMITTEES 2001-2002

Name of the Committee Women in the Courts - 5th Judicial District

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

KATE ROSENTHAL, SYRACUSE CITY COURT

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315-474-2601 (fax)

Meeting Dates in the Past Year March 23, 2001

Activities for Domestic Violence Awareness Month 2001

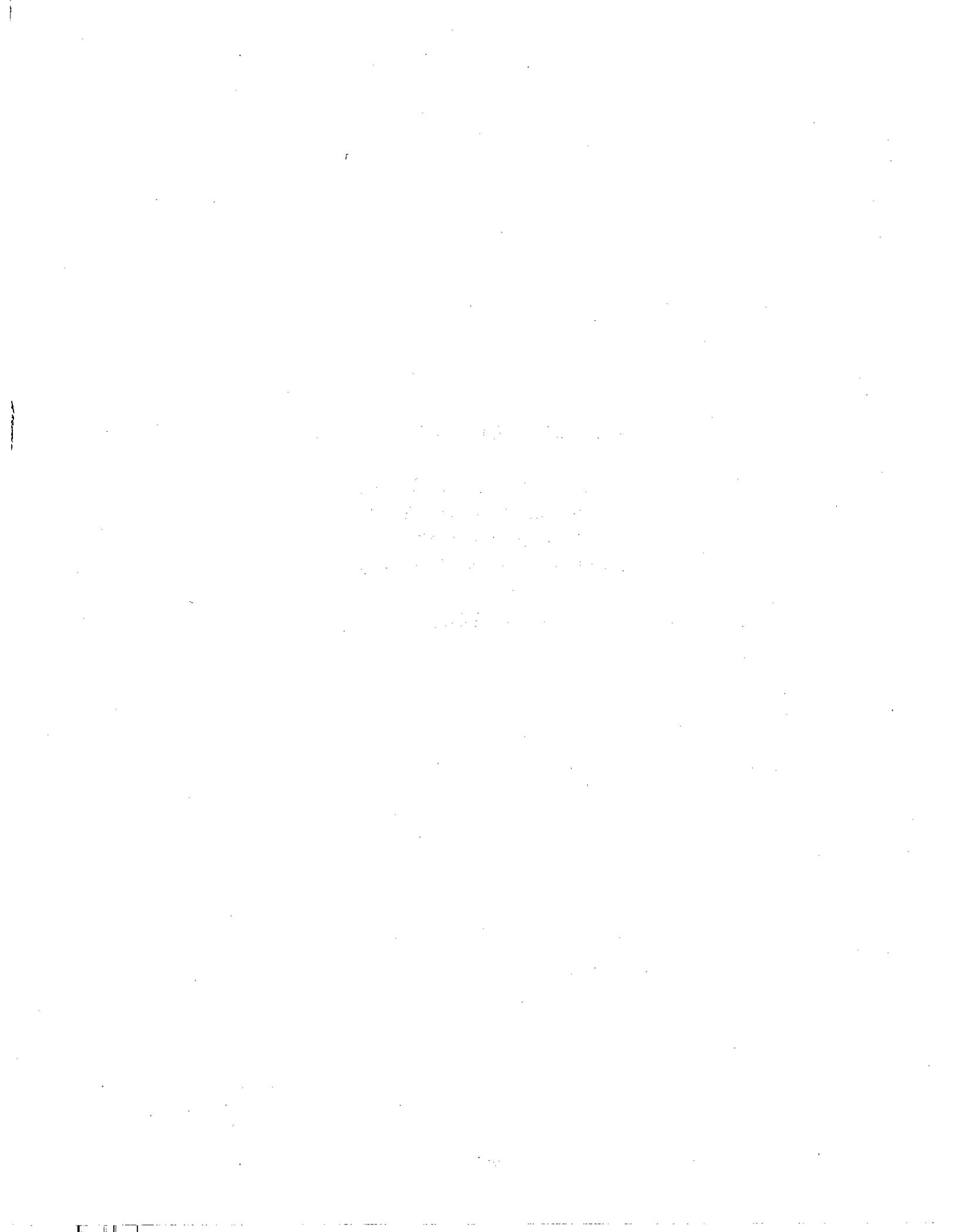
Facilitated adoption of proclomations and resolutions in
legislative bodies throughout district, issued press release
concerning Domestic Violence Awareness month, distributed
literature regarding resolving domestic violence issues to
justice courts, city and family courts.

Activities for Women's History Month 2002 To be determined

Sixth Judicial District Committee

Hon. Mary Anne Lehmann
Binghamton City Court
Governmental Plaza
Binghamton, New York 13901

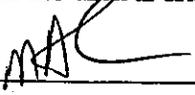
607-772-7006



LOCAL COMMITTEES 2001-2002

Name of the Committee Sixth Judicial District Gender Fairness Committee

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

Hon. Mary Anne Lehmann, Chair 

Binghamton City Court, 5th Floor, City Hall

Binghamton, New York, 13901

(607) 772-7006

fax (607) 772-7041

Meeting Dates in the Past Year March 2001 and

special joint meeting of Gender Fairness Committee and
Anti-Discrimination Panel on October 5, 2001 (see attached minutes).

Activities for Domestic Violence Awareness Month 2001 See attached report

dated November 5, 2001

Activities for Women's History Month 2002 _____

Other Activities in the Past Year (1) In April, Chair attended state-wide Gender Fairness Meeting in New York City. Information and materials shared with other committee members. (2) Participated in "Take Our Children To Work Day" in April. Activities published in newsletter. (3) Distributed pamphlets "Justice Works." (4) Project to compile complete mailing list for Sixth Judicial District and computerize Gender Fairness mailing list. (5) Inaugurated Childrens' Center in Broome County Family Court with program learning format. Female judge elected to Broome County Family Court is first in county's history. (6) Distributed pamphlet and application for the "Women's Law and Public Policy" fellowship program. (7) One complaint was received and forwarded on to the Office of Special Inspector General.

Plans for Next Year Similar activities. We hope to expand our efforts in regard to Domestic Violence Awareness Month.

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004



not copy

JOHN T. HILLIS
CITY COURT JUDGE

MARY ANNE LEHMANN
CITY COURT JUDGE

BINGHAMTON CITY COURT
GOVERNMENTAL PLAZA
38 HAWLEY STREET
BINGHAMTON, NEW YORK, 13901
TELEPHONE (607)772-7006
FAX (607)772-7041

KAREN A. AMBROZIK
CHIEF CLERK

SHERRY L. BAKER
DEPUTY CHIEF CLERK

Date: November 5, 2001

To: Hon. Betty Weinberg Ellerin
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York, 10004

Jill Laurie Goodman
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York, 10004

From: Hon. Mary Anne Lehmann
Chair, Sixth Judicial District
Gender Fairness Committee

MA

Subject: October/National Domestic Violence Awareness Month

This is a summary of the activities in the Sixth Judicial District associated with National Domestic Violence Awareness Month. We had an extremely active month this year and this list is by no means comprehensive.

- Binghamton and Elmira once again celebrated "Take Back the Night" which is a local anti-crime event with a special emphasis on women's safety issues.
- A special section was taught at the Regional Magistrates Training in Oneonta and Binghamton on Domestic Violence. The booklets "Domestic Violence/Finding Safety & Support" and "Domestic Violence, It is Your Business, Employer Handbook and Resource Guide" and various OCA forms were distributed as part of the program. (See attached information.)

- The YWCA in Broome County sponsored "A Week Without Violence." (See newspaper clipping.)
- The Director of the SOS Shelter published an editorial in The Press and Sun Bulletin. (See attached newspaper article.)
- The Diocese of Syracuse sponsored many programs heightening awareness of domestic violence issues. (See attached information provided to assist this effort.)
- On October 5th a joint meeting of the Gender Fairness Committee and the Anti-Discrimination Panel was held at the local Regency Hotel. A program was presented by Alice Chapman of the Human Resources Office of Workforce Diversity. (See attached minutes.)
- A special section of the October Newsletter highlighted domestic violence issues for the readership throughout the District.
- A candlelight vigil was held at the Tioga County Court House lawn on Thursday, October 18, 2001. A clothesline of T-shirts hung in memory of the victims of domestic violence. (See attached newspaper clipping.)
- Oneida City Court posted information, on the bulletin board outside the courtroom, about the local Victims of Violence services.
- Ithaca City Court had posters and brochures presented from the Tompkins County Task Force for Battered Women.
- The Deputy Chief Clerk of Broome Supreme and County Court has volunteered to represent the court on the County's Domestic Violence Task Force.

- At the Delaware Multi Court, literature and purple ribbons were distributed.
- At Tompkins County Family Court, court personnel wore purple lapel ribbons which were provided by the Task Force for Battered Women.
- At Tioga Family Court the Chief Clerk and Deputy are members of the Community Response Network. The court maintains a large display (with at least 15 different brochures) for the "New Hope Center."
- At the Chenango County Multi Court, Judge Sullivan recently met with the Director of Counseling for Catholic Charities. They discussed the Domestic Violence component of their counseling services and the judge plans on doing an in-service training for counselors in November.

MAL/dn

enc.

cc: Hon. Judith F. O'Shea
Susan Leonardos

**Minutes Of Joint Meeting
Gender Fairness Committee/Anti-Discrimination Panel
October 5, 2001
Binghamton, New York**

Present:

On Behalf of Gender Fairness Committee:

Hon. Michael V. Coccoma
Gloria VanVranken Chandler
Christopher J. Esworthy
Stephen Foulk, Esq.
Emy L. Franz, Esq.
Angela Jones
Hon. Judith F. O'Shea
Hon. Mary Anne Lehmann
Absent was Kathryn Grant Madigan, Esq.

On Behalf of Anti-Discrimination Panel:

Patricia Bradley-Jackson
Sonya Korducavich
Hon. W. Howard Sullivan
Marianna Tumpek
Irene Williams
Hon. Michael V. Coccoma

Special Guest:

Alice Chapman, Deputy Director of Human Resources and Equal Opportunity Employment.

Meeting Convened:

The meeting convened at 1:00 pm.

1. The welcome was given by Hon. Mary Anne Lehmann.
2. Introduction of new members.

3. Thanks were extended to:

Hon. Judith F. O'Shea for approving and funding the meeting.

G. Russell Oechsle and Susan Leonardos for their assistance.

Special thanks were extended to Karen Ambrozik and Sherry Baker for setting up the meeting.

4. A special award and recognition plaque was presented to Stephen Foulk, Esq. for his years of dedicated service both on the Gender Fairness Panel and to the citizens of the Sixth Judicial District. The plaque was presented by the Hon. Judith O'Shea, District Administrative Judge.

5. Judge O'Shea gave opening remarks welcoming the guest speaker, Alice Chapman, the Administrator for Human Resources for the Workforce Diversity Office. Ms. Chapman is part of the Unified Court System. She spoke on the various programs being implemented by the Workforce Diversity Office located at 25 Beaver Street, Room 1009, New York, New York, 10004, telephone number (212)428-2540, fax number (212)428-2545. Materials distributed were:

Fair Speech pamphlet,

On The Bench Judicial Responses to Gender Bias,

Sexual Harassment Policy and Procedures manual,

Justiceworks, a Public Guide to Ensuring Access and Equality in the New York State Courts,

The guidelines for the Office of Special Inspector General for Discrimination or Bias Matters,

A copy of the Resolution Procedures,

A guide on Preventing Sexual Harassment, and

A guide on the Legal Fellows Program.

6. Ms. Chapman presented a discussion regarding gender issues and asked those members of the committees to focus on the impact that gender related problems have on those subjected to that conduct as opposed to the intent of the individual who generates the gender problematic comments or situations. Ms. Chapman also stressed that all complaints should be forwarded to the Administrative Judge.
7. Ms. Chapman presented a videotape based on a Date Line program discussing a gender related fact scenario with a "panel of experts." Following that, a series of questions was asked of the Anti-Discrimination Panel and the Gender Fairness Committee in regard to their thoughts. All cases involving gender issues are resolved on a "case by case" basis depending on the facts presented. It was also very clear that there are no bright lines in the area of gender issues. What constitutes a hostile workforce in one situation may very well not constitute a hostile workforce in another setting. The message, however, was clear that it was important in dealing with these issues to concentrate on the impact that the conduct had on the complainant as opposed to the intent of the perpetrator. Members of the committee and panel were encouraged to call the Workforce Diversity Office with any questions or concerns and an offer was made of materials for general consumption by the public and for any programs that the members might participate in.

Christopher Esworthy, the Commissioner of Jurors, asked if a program that is being spearheaded by the Office of Court Administration for college students might also be available on a high school level. Alice Chapman indicated that they certainly were open to explore such a possibility. Mr. Esworthy indicated he would be willing to assist in that effort.

8. The presentation of a desk clock set was made to Ms. Chapman in thanks for her trip to Binghamton.

Meeting Adjourned:

The meeting concluded at approximately 3:15 pm.

Seventh Judicial District

Hon. Ann Marie Taddeo
Supervising Judge
Monroe Family Court
300 Hall of Justice
Rochester, NY 14614-2187

716-428-5488



LOCAL COMMITTEES 2001-2002

Name of Committee: **Seventh Judicial District Gender Fairness Committee**

Name, Address, Telephone Numbers and E-mail Address of the Chair:

**Hon. Ann Marie Taddeo
Monroe County Family Court
Hall of Justice
Rochester NY 14614**

**Phone: (585) 428-5488
Fax: (585) 428-4068
E-mail: ataddeo@courts.state.ny.us**

Meeting Dates in the Past Year: **March 27, 2001**

Activities for Domestic Violence Awareness Month 2001:

- **Website design for DV Month**
 - **Monroe County training**
 - **Unified Court System Domestic Violence Policy**
- **Domestic Violence displays in all courthouses through the Seventh Judicial District**
- **Domestic Violence forums in Monroe County, Cayuga County, Livingston County & Ontario County**

Activities for Women's History Month 2002:

Diversity Training conducted for Senior Management personnel.

Other Activities in the Past Year:

Development of "Are you Hurting" campaign for bulletin board and all restrooms in Hall of Justice (see attached)

Plans for Next Year:

- **Continued development of website (Domestic Violence / Women's History Month)**
- **District-wide Domestic Violence programs**
- **Develop a Women's History Month display District-wide.**
- **Site visits to all Counties by Committee Members to hold roundtable discussions with staff**

Please return this form by **March 31, 2002** to:

**Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in Courts
25 Beaver Street, Room 878
New York, NY 10004**

ARE YOU HURTING?

Domestic Violence

Alternatives for Battered Women (ABW)

*232-7353

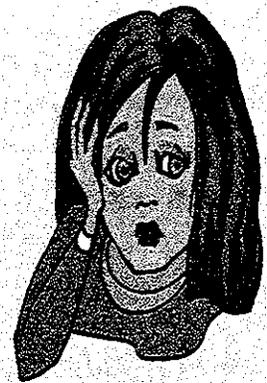
New York State Office for the Prevention of
Domestic Violence (OPDV)

*1-800-942-6906

Spanish

*1-800-942-6908

Domestic Violence Intensive Intervention Court
428-5787



Elder Abuse

Monroe County Adult Protective Services

274-6497 (Days)

461-5698 (5pm-midnight)

Lifespan

244-8400



Lifeline

*275-5151

TTY: 275-2700

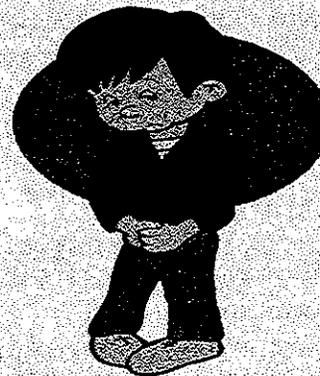
Child Abuse

Child Protective Hotline

*461-5690

Center for Youth Services

*271-7670



24 Hour Hotlines

Susan Scott - Domestic Violence Awareness Month

From: Ann Marie Taddeo
To: SeventhDistrictUsers
Date: 10/02/01 2:03 PM
Subject: Domestic Violence Awareness Month



Domestic Violence Awareness Month

The NYS Unified Court System, under the direction of Chief Judge Judith Kaye, has declared October as Work To End Domestic Violence Month. The Courts of the Seventh Judicial District will host a number of presentations throughout the eight counties within the District to heighten awareness of the impact of domestic violence upon our workforce and upon our communities.

Additionally, domestic violence pamphlets and brochures will be available throughout the district.

Highlights of this month's activities are:

October 24, 2001-12:30-2:00PM, Room 515
Hall of Justice
99 Exchange Street
Rochester, NY 14614
Domestic Violence and Substance Abuse
Presented by: Cathy Mazzotta, MSW,
Alternatives for Battered Women, Inc.

**STATE OF NEW YORK
UNIFIED COURT SYSTEM
DOMESTIC VIOLENCE POLICY**

POLICY STATEMENT

Domestic violence permeates the lives and compromises the safety of thousands of New York State employees each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples, couples with children in common who live together or have lived together.

Domestic violence is defined as a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against a family or

household member, with the goal of establishing and maintaining power and control over the victim. It is not a private matter. In addition to exacting a tremendous toll on the individuals it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.

Therefore, the Unified Court System, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations or collective bargaining agreements, designates and directs appropriate management, supervisory, and/or human resources staff to implement the following guidelines.

GUIDELINES

Employee Awareness

Increase awareness of domestic violence and inform employees of available sources of assistance.

- A. Post information on domestic violence and available resources in the work site in places where employees can obtain it without having to request it or be seen removing it, such as employee rest rooms or lounge areas. Such information shall include available sources of assistance such as Employee Assistance Programs, local domestic violence service providers, and/or human resources personnel who are trained and available to serve as confidential sources of information, support, and referral. Information shall be made available on employee bulletin boards and included in employee newsletters, as appropriate.
- B. Include information on domestic violence awareness and services in new employees' benefits packages and as part of new employee orientation.
- C. Conduct domestic violence awareness activities such as "brown bag" lunch programs and other health and wellness programs.
- D. Inform employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims. The law prohibits designation of domestic violence as a pre-existing condition. An insurance company cannot deny or cancel an insurance policy or require a higher premium or payment because the insured is or has been a domestic violence victim. [Insurance Law § 2612]
Integrate information on domestic violence into existing materials and literature, policies, protocols, and procedures, as appropriate.

Non-discriminatory and Responsive Personnel Policies for Victimized Employees

Ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

- A. New York State law makes it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his or her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law. This law requires employers, with prior day notification, to allow time off for victims or witnesses to pursue legal action related to domestic violence. [Penal Law § 215.14]
- B. When an employee needs to be absent from work as a result of being a victim of domestic violence, the Unified Court System will assist the employee in determining the best use of his or her attendance and leave

benefits, taking into consideration the employee's particular situation.

C. When Unified Court System policies require an employee to submit documentation to justify absences, the Unified Court System should be aware that victims of domestic violence may initially lack documentation or may have difficulty obtaining documentation without compromising their safety. Therefore, consult with the employee to identify what documentation he or she might have, or be able to obtain, that will not compromise his or her safety-related needs and will satisfactorily meet the documentation requirement of the employer.

D. Employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), shall be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.

E. Prohibit inquiries about a job applicant's current or past exposure to domestic violence, and prohibit staffing decisions to be based on any assumptions about or knowledge of such exposure.

F. In cases in which it is identified that an employee's work performance difficulties are a result of being a victim of domestic violence, said employee shall be afforded all of the proactive measures outlined in this policy, and shall be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, take special care to consider all aspects of the victimized employee's situation, and exhaust all available options in trying to resolve the performance problems, including making a referral to the Employee Assistance Program, consistent with statute, regulations, existing collective bargaining unit agreements and Unified Court System policy.

G. If reasonable measures have been taken to resolve domestic violence-related performance problems of victimized employees, but the performance problems persist and the employee is terminated or voluntarily separates from employment, inform the employee of his or her potential eligibility for unemployment insurance and respond quickly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits [Labor Law § 593]

Workplace Safety Plans

Have in place workplace safety response plans and provide reasonable means to assist victimized employees in developing and implementing individualized workplace safety plans, consistent with existing collective bargaining agreements, statutes and regulations.

A. Facilitate in the enforcement of all known court orders, particularly orders in which abusers have been ordered to stay away from the work site. Assist the victim in enforcement of an existing order, including gathering and providing evidence relating to whether a violation of an order has occurred.

B. Have an emergency security response plan in place, including procedures for contacting the appropriate law enforcement agency, and provide employees with clear instructions about what to do and who to

contact if they observe anyone engaging in threatening behavior. Such a plan will allow appropriate actions to be taken if an abuser gains unauthorized access to the work site, or if an abuser engages in any acts that threaten the safety of employees or clients.

C. Managers, supervisors, human resources personnel, and security staff shall inform victims of any confidentiality limitations that may exist (such as the appropriate sharing of information through the supervisory chain of command). Information related to an employee being a victim of domestic violence shall not be divulged without the express written consent of the victimized employee, unless it is determined that maintaining said confidentiality puts the victim or other employees at risk of physical harm. In these cases, where possible, give prior notification to the victimized employee of the intent to provide information to other parties.

D. Consult with victimized employees to develop and implement individualized workplace safety plans, which may include, when appropriate, advising co-workers and the employee's bargaining representative of the situation; setting up procedures for alerting security and/or the police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; reassignment of parking space; escort for entry to and exit from the building; dealing with telephone, facsimile, e-mail or mail harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders in a confidential on-site location and providing copies to security personnel.

Accountability for Employees who are Offenders

Hold accountable employees who engage in the following behavior: (1) misusing state resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official state business; or (3) misusing their job-related authority and/or state resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

A. Take corrective or disciplinary action in accordance with existing collective bargaining unit agreements, statutes and regulations against any employee who is found to have threatened, harassed, or abused a family or household member at the workplace, from the workplace, or on state business using any workplace resources such as work time, workplace phones, facsimile machines, mail, e-mail, or other means.

B. In cases in which an agency has verification that an employee is responsible for a domestic violence-related offense, or is enjoined by a final order of protection as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior¹, determine if corrective action is warranted, in accordance with statutes, regulations and existing collective bargaining unit agreements.

C. In cases in which an employee intentionally misuses his or her job-related authority and/or intentionally misuses state resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his or her behavior, said employee shall be subject to corrective or disciplinary action, in accordance with statutes, regulations and existing collective bargaining unit

agreements.

Firearms

Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

A. In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify their manager or supervisor if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the Unified Court System or to the appropriate police agency.

B. Should an employee fail to comply with the requirements set forth in V.A., said employee shall be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statute or regulations. In addition, the appropriate law enforcement agency shall be notified for possible criminal action.

Training

Make training on domestic violence and its impact on the workplace available on a regular basis for all managers, supervisors, employee assistance professionals, human resources personnel, and security staff. Training shall be strongly encouraged and made available to union and labor representatives.

A. Training curricula shall be developed and provided by the Office of the Prevention of Domestic Violence. When possible, training can be integrated into existing union and management training programs, agency training programs, employee assistance program training, etc.

B. Training shall prepare staff to identify possible cues and indicators of victimization, make appropriate referrals, work with professionals to assist identified victims in safety planning, and develop individualized responses in recognition of the physical, social, and cultural realities that may affect an individual victim's situation. Training shall also include information on the ways in which domestic violence impacts on the workplace, including the potential impact on worker productivity, and the safety risks to on-site personnel and visitors.

Management/Supervisory Responsibility

A. All managers and supervisors shall set a tone communicating that domestic violence is behavior that will not be tolerated and that the Unified Court System will actively provide information and support to employees who are victims of such abuse.

B. All managers and supervisors shall follow the policy and procedures set forth in this policy.

C. All managers and supervisors shall disseminate copies of the Unified Court System's *Domestic Violence in the Workplace Policy* to all employees

upon implementation and to all new employees.

¹ Examples of "actions that may protect abusers from appropriate consequences for their behavior" include, but are not limited to, withholding from or providing false information to supervisors or other authorities; destroying or tampering with evidence or documentation of an abuser's act(s) of domestic violence; assisting an abuser in filing false claims against the victim; and failing to report violations of employer policy or of the law.

THE SEVENTH JUDICIAL
DISTRICT NEWSLETTER



Briefly

406 Hall of Justice
Rochester, NY 14614
716/454-4242
Fax: 716/325-1396
TDD: 716/454-6037

HTTP://WWW.COURTS.STATE.NY.US/WWW/JD7

Vol. 20
No. 30
OCTOBER 12, 2001

Domestic Violence Month

October is Domestic Violence Awareness Month. Seventh Judicial District Supervising Judge for Family Courts **Ann Marie Taddeo** has announced that a Domestic Violence and Substance Abuse presentation will be held on Wednesday, October 24, 2001 from 12:30 p.m. to 2:00 p.m. in Room 515 of the Hall of Justice in Rochester. **Cathy Mazzotta**, MSW from Alternatives for Battered Women, Inc. will be the speaker.

Judge Taddeo has provided information to all Seventh Judicial District judicial and non-judicial staff through a GroupWise announcement. Information included the UCS Domestic Violence Policy Statement, guidelines for employee awareness, workplace safety plans, accountability for employees who are offenders, training, and management/supervisory responsibilities.

CALENDAR OF EVENTS

10/17/01 7:00 p.m. - 8:30 p.m.	Seneca County Town Hall Meeting Waterloo
10/18/01 7:00 p.m. - 8:30 p.m.	Ontario County Town Hall Meeting Smith Opera House Geneva
10/25/01 12:30 p.m.	Judges Meeting (Outside Monroe County) Belhurst Castle Geneva
11/27-29/01	Surrogate's Court Clerks Surrogate's Court Attys. Association Seminars Sheraton Hotel Syracuse

TRAINING OPPORTUNITIES

10/19/01 9:00 a.m. - Noon (or) 1:00-4:00 p.m.	Skills for Managing a Diverse Workforce Training Blue Cross Arena Rochester
10/30/01 9:00 a.m. - 2:00 p.m.	Training by District Office Finance Unit Room 404 Hall of Justice

Visit by Trial Court Operations



(Left to right: Susan E. Scott, Principal Administrative Assistant; Robert F. Barnish, Principal Court Analyst; Rick Hogan.)

Rick Hogan, Chief Management Analyst with the UCS Office of Trial Court Operations visited the Hall of Justice in Rochester on Wednesday, October 24, 2001 to discuss the feasibility of microfilming and/or imaging Rochester City Court civil documents.

Mr. Hogan met with Rochester City Court Deputy Chief Clerk **Connie R. Roselli**, Court Clerk **Jackie Hyatt** (supervisor of the Civil Division), and Principal Court

Analyst **Robert F. Barnish** of the District Office. The group will meet again in the near future to review options and visit offices where microfilming and imaging are already in operation.

Association Seminars Held

Association Seminars for Supreme and County Court Clerks, City and District Court Clerks, and Commissioners of Jurors were held on October 10-12, 2001 at the Westchester Marriott Hotel in Tarrytown.

The Supreme and County Court Clerks Seminar included presentations on civil issues; Universal Case Management System overview; Article 81; Criminal History Reconciliation Project (CHIRP); self-represented litigants; and round table discussions. Seventh Judicial District Supreme Court Justice **Evelyn Frazee**; Monroe Supreme and County Courts Deputy Chief Clerk **John Pauer**; and Seventh Judicial District Court Reporters Principal Management Analyst **Michael DeVito** were presenters.

City and District Court Clerks attended similar programs as the Supreme and County Court Clerks. In addition, topics covered included: legal updates; sealing records; and the Safe School Act. Rochester City Court Deputy Chief Clerk **Kim Bostley** was a presenter.

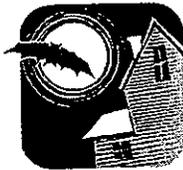
(continued on page 4)



(Left to right:) Letitia Collier; Debbie Robillard; Laura Beltz; Connie Roselli; Julie Callahan; Marti Cotter; Betty Barricelli; Love Griffin.



Betty Barricelli attended training as well as got into the Halloween spirit...hopefully she enjoyed both!



City Court Training - Civil/Judgments/Transcripts

The Seventh Judicial District continued its series of training for City Court Chief Clerks and employees on October 31, 2001. The presenter was **Marti Cotter** of Rochester City Court-Civil Division. Among the many topics covered were: the ADBM file; jurisdiction and types of documents filed; filing and marshal fees; filing of summonses and complaints; judgment guidelines and time frames; rejections; confession of judgment; infant compromise; and specialties such as stipulations, transcripts of judgments, satisfaction, income execution, dismissals, and much more.

Attendees included: Rochester City Court Deputy Chief Clerk-Civil Division **Connie R. Roselli** (and coordinator for City Courts training); Auburn City Court Chief Clerk **Debbie Robillard**; Corning City Court Chief Clerk **Julie Callahan**; Hornell City Court Chief Clerk **Laura Beltz**; **Love Griffin** (Hornell City Court); **Betty Barricelli** (Rochester City Court); and **Letitia Collier** (District Office).

GroupWise Training Offered

The Seventh Judicial District Office Automation Unit is offering GroupWise beginning and advanced training. The beginning session covers Notify, Overview, Address Book, sending e-mails, tracking sent items, reading e-mail, calendar, and setting a password. The advanced session covers creating rules, giving proxy rights, accessing another user's GroupWise, customizing, creating and managing folders, sharing folders and address books, web access, deleting items and trash, and special options. The class schedule is as follows:

Beginners (all classes will be from 9:30 a.m. to 11:30 a.m.):

November 13	December 13
November 20	December 18
December 11	December 20

Advanced (all classes will be from 1:30 p.m. to 3:30 p.m.):

November 13	December 13
November 20	December 18
December 11	December 20

All classes will be held in Room 156 of the Hall of Justice in Rochester. To sign up, please e-mail **Donna Wilkins**. A maximum of six (6) people will be allowed for each class and will be handled on a first-come, first-served basis.

Seneca DV Program

In recognition of Domestic Violence Awareness Month, Seneca County Family Court Chief Clerk **Margaret "Peg" Bellomo** invited Cindy Gilhoolie from the Family Counseling Center of the Finger Lakes to do a Domestic Violence presentation for all employees of Seneca County Court employees.

At the October 25 program, Ms. Gilhoolie provided an overview of domestic violence issues and presented those in attendance with informational materials. She also answered questions from the participants.

Domestic Violence Month



(Left to right:) Wayne County Family Court Chief Clerk **Brenda VanDuynes**; Domestic Violence Coordinator Beverly Dodd; and Domestic Violence Caseworker Jennifer Gregory. Beverly and Jennifer are employed by the Victims Resource Center of the Finger Lakes, Inc. with an office located in Newark, New York. They are also in the Wayne County Hall of Justice in Lyons on a regular basis.

Beverly and Jennifer provided a display of posters, literature, etc for the Wayne County Hall of Justice for Domestic Violence Month. There was a review of paperwork, procedures, and the court process. Wendy Clar, Esq., an attorney for Victims Resource Center (VRC), was not present for the photo. She regularly represents VRC clients in the Wayne County Family Court and all of the VRC staff have knowledge of the complete family offense process.

JHO Miller Receives Award

Retired Monroe County Family Court Judge **Michael J. Miller** received the Alternatives for Battered Women's Restore the Hope Award. This prestigious honor is given to a leader in the community who has impacted on the issue of domestic violence in a positive manner. Judge Miller was presented the award by Executive Director Cathy Mazzotta and Board President Monica Guardino at a ceremony held in Rochester.

Judge Miller retired on December 31, 2001 and is currently serving as a Judicial Hearing Officer in Monroe County Family Court assigned to the Domestic Violence Intensive Intervention Court.

Successful Change: Successful change clearly requires detailed planning. Too often, however, organizations develop great project content--the details of what the project is intended to achieve--and forget to invest in examining how they will go about implementing it.

(From Financial Times, October 2001)

Charlotte's Angels



In memory of **Charlotte Salone**, who was a secretary in Rochester City Court, and in the spirit of caring and sharing that she always exhibited, employees of the Hall of Justice and Public Safety Building in Monroe County are invited to lend a helping hand to the community.

Your past generosity and support have been greatly appreciated. Once again, we would like to help provide items from the wish list for a home for battered women. The home provides transitional housing for women and children, a place where women take up dreams again and get the support they need to make those dreams come true. The women participate in counseling and recovery programs, developing and building independent living skills. We hope that you will join us in bringing joy in the lives of those who are working on building a stronger life for themselves and their families.

Charlotte's Angels are in the Rochester City Court-Civil Division in Room 6 of the Hall of Justice; Monroe Supreme and County Court Clerk's Office in Room 545; Monroe County Family Court Clerk's Office in Room 361; and the Rochester City Court-Criminal Division located in Room 123 of the Public Safety Building. Each Angel has a wish item for children as well as adults. Donations should be brought in by December 3, 2001 in time for the home's holiday celebrations. Cash donations are also welcome and will be used to purchase gifts. Your support and generosity are most appreciated.

If anyone has questions, they should feel free to contact: **Gwen Gerenski** - Family Court - 428-1791; **Susan Walzer** - Supreme and County Courts - 428-4315; **Sandy Petrella** - City Court, Civil Division - 428-2444; **Kim Bostley** - City Court, Criminal Division - 428-2447.

**THE SEVENTH JUDICIAL
DISTRICT NEWSLETTER**



Briefly

406 Hall of Justice
Rochester, NY 14614
716/454-4242
Fax: 716/325-1396
TDD: 716/454-6037

[HTTP://WWW.COURTS.STATE.NY.US/WWW/JD7](http://www.courts.state.ny.us/www/jd7)

Vol. 20
No. 31
OCTOBER 19, 2001

Domestic Violence Month

October is Domestic Violence Awareness Month. Seventh Judicial District Supervising Judge for Family Courts Ann Marie Taddeo has announced that a Domestic Violence and Substance Abuse presentation will be held on Wednesday, October 24, 2001 from 12:30 p.m. to 2:00 p.m. in Room 515 of the Hall of Justice in Rochester. Cathy Mazzotta, MSW from Alternatives for Battered Women, Inc. will be the speaker.

CALENDAR OF EVENTS

- | | |
|------------------------|---|
| 10/25/01
12:30 p.m. | Judges Meeting (Outside Monroe County)
Belhurst Castle
Geneva |
| 10/30/01
10:00 a.m. | Combined Districts City Courts Fiscal Training Meeting
Hall of Justice, Room 404
Rochester |
| 11/27-29/01 | Surrogate's Court Clerks Surrogate's Court Attys. Association Seminar
Sheraton Hotel
Saratoga Springs |

TRAINING OPPORTUNITIES

- | | |
|-------------------------------------|--|
| 10/30/01
9:00 a.m.-
2:00 p.m. | Training by District Office Finance Unit
Hall of Justice, Room 404
Rochester |
| 10/31/01
9:00 a.m.
2:00 p.m. | City Court Training (Civil/Judgments/ Transcripts)
Hall of Justice, Room 156
Rochester |
| 11/14/01
9:00 a.m.
2:00 p.m. | City Court Training (Traffic Tickets/DWI/ Processing/Orders of Protection)
Hall of Justice, Room 156
Rochester |
| 11/28/01
9:00 a.m.
2:00 p.m. | City Court Training (Data Entry/Sealing/ 540 Reporting) |

Diversity Training Held in Rochester



The Seventh Judicial District conducted diversity training for senior management personnel on Friday, October 19, 2001 at the Blue Cross Arena in Rochester. The program entitled, "Skills for Managing A Diverse Workforce ... Diversity and You" was facilitated by James Champion and

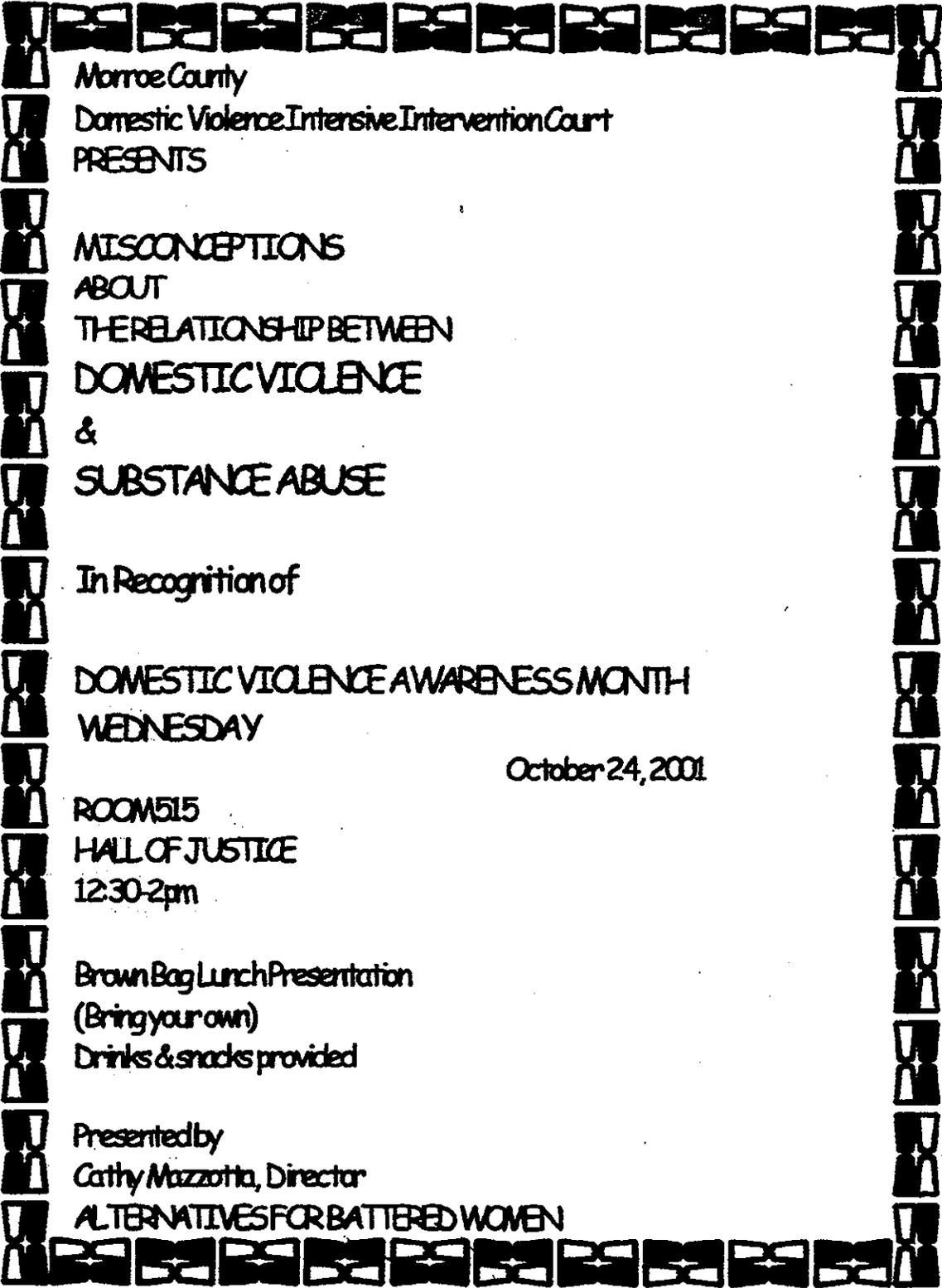
Wendy Gonzalez of The Champion Services Group, Inc.

Fifty-two participants attended the program, which was conducted in two sessions, one in the morning and the second in the afternoon. The objective of the program was to learn more about diversity and valuing differences, learn what is and is not acceptable workplace behavior, understanding the consequences of not valuing differences in the workplace, and enhancing skills to better manage and resolve workplace conflicts.

The agenda included: setting the tone for working together, definition and concept of diversity, recognizing how we make assumptions, behavioral social styles, impact of biases, how we can make a positive difference in society, understanding ourselves and others, and being responsible for doing the right thing. Individual discussions and small group exercises, and large group activities were incorporated into the training.

The program received positive feedback by the attendees, who rated the facilitators' knowledge of the subject, their enthusiastic approach to presenting the information, and the material itself as excellent.





Morroe County

Domestic Violence Intensive Intervention Court

PRESENTS

MISCONCEPTIONS
ABOUT
THE RELATIONSHIP BETWEEN
DOMESTIC VIOLENCE
&
SUBSTANCE ABUSE

In Recognition of

DOMESTIC VIOLENCE AWARENESS MONTH
WEDNESDAY

October 24, 2001

ROOM 515
HALL OF JUSTICE
12:30-2pm

Brown Bag Lunch Presentation
(Bring your own)
Drinks & snacks provided

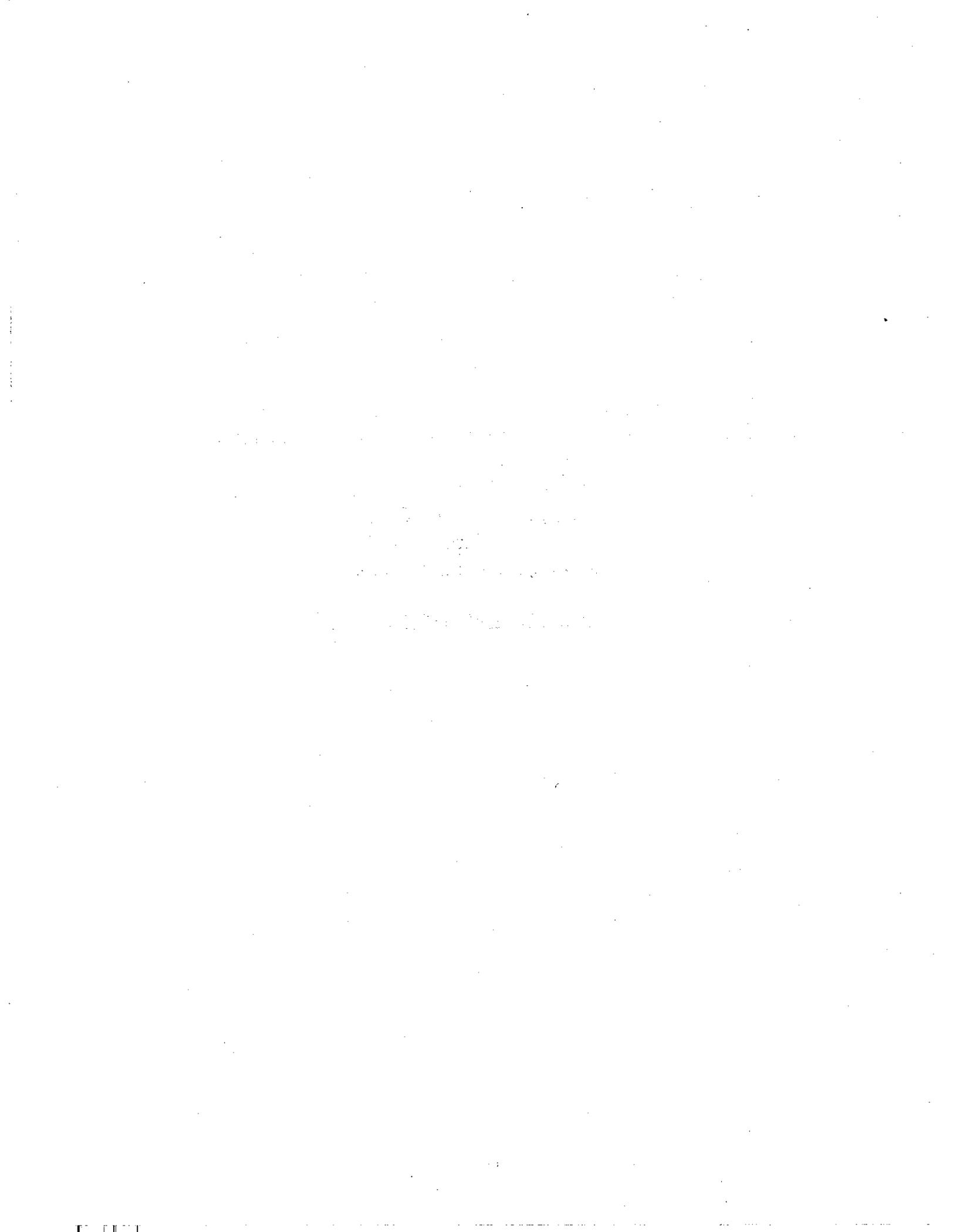
Presented by
Cathy Mazzotta, Director

ALTERNATIVES FOR BATTERED WOMEN

Eighth Judicial District Gender and Racial Fairness Committee

Hon. Sheila Di Tullio
Judge, Erie County Court
92 Franklin Street, Part 3
Buffalo, New York 14202

716- 858-2143 or 21242





County Court

ERIE COUNTY
BUFFALO, NEW YORK 14202

SHEILA A. DI TULLIO
COUNTY JUDGE

716-858-2143
Fax 851-3334
E-Mail: sditullio@courts.state.ny.us

March 28, 2002

Hon. Betty Weinberg Ellerin
New York State Judicial Committee on Women in Courts
25 Beaver Street, Room 878
New York, New York 10004

Re: Eighth Judicial District Gender and Racial Fairness Committee Report, 2001

Dear Justice Ellerin:

Please find enclosed my local Committee report for the year 2001. As you can see, our Committee has been extremely busy; through the leadership of Administrative Justice Vincent E. Doyle and a dedicated committee, we have achieved much. The highlight of this past year for the Committee was the May, 2001 Committee Luncheon recognizing outstanding women in the law. The award recipients included a cross-section of women within the court system: judges, librarians, court clerks, attorneys, and administrators. Over one hundred people attended this luncheon which was widely regarded as a smashing success.

Our Committee has sponsored this luncheon twice, in the spring of 2000 and 2001. After the most recent luncheon, the Committee arranged for a plaque memorializing the award recipients. Subsequently, I spoke with Presiding Justice Eugene F. Pigott, Jr., Fourth Department, who graciously agreed to display the plaque at the courthouse in Rochester. That will be accomplished in May of this year. Finally, as to the plaque, the Committee unanimously voted to name the awards the "Hon. M. Dolores Denman Woman Leadership Award."

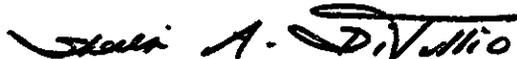
The Committee also sponsored various domestic violence programs in October and November and conducted informational luncheons in the outlying counties during the summer to remind OCA employees that the Committee exists, what we do and stand for, and what is expected of us as far as gender and racial fairness as OCA employees.

Hon. Betty Weinberg Ellerin
Re: 2001 Report
March 28, 2002
page 2

As I mentioned to you in the past, Judge Ellerin, I have enjoyed chairing this Committee and strongly feel that its work is worthwhile and extremely important to the New York State Court system as well as the people it serves.

Wishing you all the best, I remain

Most sincerely,



SHEILA A. DITULLIO
Erie County Court Judge

SAD/kmp

Encl.

C: ~~Jill~~ Laurie Goodman
Hon. Eugene F. Pigott, Jr.
Hon. Vincent E. Doyle

LOCAL COMMITTEE REPORTS 2001-2002

Name of the Committee:

Eighth Judicial District Gender Bias and Racial Fairness Committee

Name, Address, and Telephone and Fax Numbers of Chair:

**Hon. Sheila A. DiTullio, J.C.C.
County Court Part 3
92 Franklin Street
Buffalo, New York 14202
Telephone: (716) 858-2143
Fax: (716) 851-3334
E-Mail: sditulli@courts.state.ny.us**

Meeting Dates in the Past Year:

Please see enclosed summary report (2001 Report).

Activities for Domestic Violence Awareness Month 2001:

Three Domestic Violence Programs:

**October 17, 2001 - Lockport, New York
October 31, 2001 - Niagara Falls, New York
November 7, 2001 - Buffalo, New York**

(Please see letters enclosed)

Activities for Women's History Month 2002:

Other Activities in the Past Year:

- **May, 2001 Annual Luncheon (see enclosures)**
- **Two informal luncheons covering Allegany, Cattaraugus, Chautauqua and Wyoming counties**

Plans for Next:

- **To be determined at May, 2002 Committee Meeting**

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004

**EIGHTH JUDICIAL DISTRICT GENDER AND RACIAL FAIRNESS COMMITTEE
2001 REPORT**

January 11, 2001 : Committee Meeting

- Update on Committee's four October/November programs concerning the Unified Court System's Domestic Violence Policy;
- Discussion of spring luncheon;
- Discussion of a plaque displaying last year's award winners and the possibility of placing it at the Fourth Department;
- Discussion of new Committee members (Chautauqua County Judge John Ward and Buffalo City Court Judge Robert Russell);
- Discussion of any new efforts in which Committee members feel our group should be involved.

March 16, 2001 : Committee Meeting

- Update on "Sexual Harassment" Seminars scheduled for February 16 and April 6;
- "Docket" Article on Committee;
- Agency Referral list for Committee members;
- May 14th luncheon and potential award recipients.

May 14, 2001

- Awards Luncheon held at the Adams Mark, Buffalo, New York.

July 2, 2001 : Committee Meeting

- May 14th Awards Luncheon report;
- July, August and September luncheon programs (introducing Committee to outlying counties);
- Discussion regarding plaque memorializing previous award recipients;
- Update on Buffalo City Court matter;
- Discussion of programs for outlying areas of the Eighth Judicial District.

July 26, 2001 : Mayville, New York

- Chautauqua County Committee luncheon;
- Discussion of the issues related to gender and racial discrimination;
- Discussion of the missions and goals of the Committee.

August 28, 2001 : Olean, New York

- Allegany, Cattaraugus and Wyoming counties Committee luncheon;
- Discussion of issues related to gender and racial discrimination;
- Discussion of the missions and goals of the Committee.

September 13, 2001 : Committee Meeting

- Award recipient plaque to be displayed in the courthouse at the Fourth Department (approved by Presiding Justice Eugene F. Pigott);
- Report of summer luncheons in Olean and Mayville;
- Protocol for Buffalo City Court;
- Welcoming new Committee members - Jean Levey and Lori Shurilla;
- Discussion of scheduling Award Luncheon every other year;
- Domestic Violence Month (October) - Committee programs;
- Haven House pins.

October 17, 2001 : Lockport, New York

- Domestic Violence luncheon and program in Lockport, New York (sponsored by Committee).

October 31, 2001 : Niagara Falls, New York

- Domestic Violence luncheon and program in Niagara Falls, New York (sponsored by Committee).

November 7, 2001 : Buffalo, New York

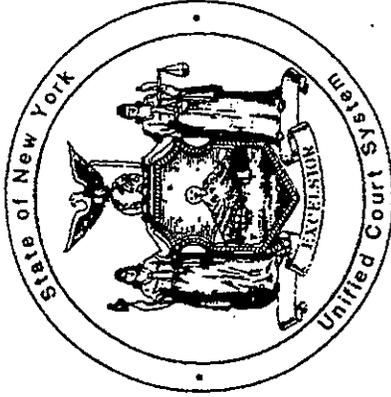
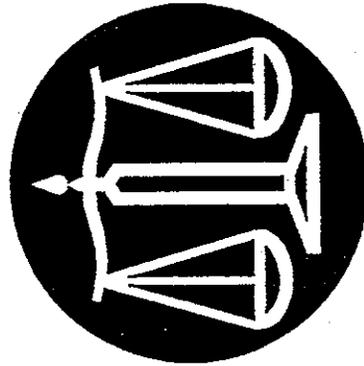
- Domestic Violence luncheon and program in Buffalo, New York (sponsored by Committee).

November 27, 2001: Committee Meeting

- Discussion and finalized details of plaque to be displayed at the courthouse at the Fourth Department;
- Discussion and adoption of Buffalo City Court Protocol;
- Report on three Domestic Violence programs held in Lockport, Niagara Falls and Buffalo;
- Formal vote on bi-annual Committee Awards Luncheon;
- Discussion concerning direction of the Committee for the up-coming year;

PROGRAM SPONSORS

**Women in the Courts Committee
Bar Association of Erie County
The Local and Specialty Bar Associations of W.N.Y.**



**8th JUDICIAL DISTRICT
WOMEN IN THE COURTS COMMITTEE
AWARDS LUNCHEON**

**STATE OF NEW YORK
UNIFIED COURT SYSTEM
8TH JUDICIAL DISTRICT**

**Monday, May 14, 2001
Adam's Mark Hotel**



County Court

ERIE COUNTY
BUFFALO, NEW YORK 14202

SHEILA A. DI TULLIO
COUNTY JUDGE

716-858-2143

March 23, 2001

Ms. Jeannine Lee
Senior Law Librarian
Supreme Court Library
92 Franklin St.
Buffalo, New York 14202

Dear Jeannine:

On behalf of the 8th Judicial District's Women in the Courts/Gender and Racial Fairness Committee, we are pleased to advise you that you have been selected for an Outstanding Women in the Law Award.

A luncheon has been planned for Monday, May 14, 2001 to honor eight outstanding women selected at the Adam's Mark Hotel, 120 Church St., Buffalo at 12:00 noon. The luncheon will recognize those exceptional women, such as yourself, who have served with excellence in their professional roles.

The honorees, in addition to yourself, are: Grace Marie Ange, Esq.; Lillian Cowan, Esq.; Donna Emo, Retired Chief Clerk Chautauqua Supreme/County Courts; Patricia K. Fogarty, Esq. Hon. Ann Mikoll, Retired Appellate Division Justice, Third Department; Sharon Thomas, Chief Clerk, Buffalo City Court and Hon. Shirley Troutman, Buffalo City Court Judge.

Please forward to our office an updated biography along with a 5x7 or 8x10 black and white photograph for our publicity purposes.

We congratulate you for your accomplishments and look forward to seeing you on May 14, 2001. We will be sending out more information regarding the luncheon to the local bar associations and courthouses to give your colleagues an opportunity to attend.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

SHEILA A. DiTULLIO
Women in the Courts/Gender & Racial Fairness Committee
Chairperson

SAD:mv

C: Hon. Vincent E. Doyle
Harry Brand, Esq.

Second Celebration of Women in the Law

WOMEN IN THE LAW TO BE HONORED

MONDAY

MAY 14

As part of Women in the Law and National Women's History Month, the Second Celebration of Women in the Law Awards Luncheon will be held on MONDAY, MAY 14, 2001 at Adam's Mark, 120 Church Street, Buffalo, New York. Lunch will commence at 12:00 P.M. promptly with a cash bar at 11:30 A.M.

This event is sponsored by the Eighth Judicial District Committee on Women, the Bar Association of Erie County and all local bar associations and specialty bar associations of the Eighth Judicial District.

The honorees listed to the right have been selected from the legal community and community at large for their outstanding contributions to the bench, bar, legal education and community.

Grace Marie Ange, Esq.

Lillian E. Cowan, Esq.

Donna L. Emo

Patricia K. Fogarty, Esq.

Jeannine A. Lee

Hon. Ann T. Mikoll

Sharon Thomas

Hon. Shirley Troutman

*Call
now*

Reservations for the luncheon with checks made payable to "Women in the Courts Committee" should be forwarded to Sharlene Von at the Bar Association of Erie County (852-8687) or to the Eighth District Administrative Office Attn: Sharon Wasielewski (852-2850, Ext. 124). Tickets are \$25.00 per person and tables of ten persons can be accommodated. Reservations can be made by contacting one of the aforementioned.

LAW JOURNAL

District to hold Women's History Month luncheon



Ange



Cowan



Emo



Fogarty



Lee



Mikoll



Thomas



Troutman

As part of Women in the Law and National Women's History Month, the second Celebration of Women in the Law Awards Luncheon will be held May 14 at the Adam's Mark Hotel, 120 Church Street, Buffalo. Lunch will commence at noon following a cash bar at 11:30 a.m.

The event is sponsored by the Eighth Judicial District Women in the Court Committee and the various bar associations within the district.

The following honorees were selected from the legal community and community at large for their outstanding contributions to the bench, bar, legal education and the community:

• **Grace Marie Ange**, a partner in Buffalo law firm Ange & Ange. A graduate of the University of Rochester who earned an

LL.B. from the University at Buffalo Law School, Ange has practiced matrimonial and family law exclusively for the past 24 years. Ange was a member of the New York State Bar Association House of Delegates from 1988 to 1995. She was a member of the American Academy of Matrimonial Lawyers from 1978 to 2000, serving as vice president of the organization's New York chapter from 1987-90.

• **Lillian Cowan**, a Kenmore lawyer who has practiced law for 74 years. A 1927 graduate of UB Law, Cowan was one of six women in a class of about 100. She worked for the Department of Social Services during the Depression Era, later becoming a clerk in Buffalo City Court. She is an active member of the Zonta Club

of Kenmore and Interclub Council of Western New York.

• **Donna Emo**, retired chief clerk and commissioner of jurors for Chautauqua Supreme and County Courts. Emo joined the Chautauqua County personnel office in 1967, serving as chief clerk and commissioner of jurors from 1983 until she retired in 1997. Emo was elected president of the state chapter of Veterans of Foreign Wars Ladies Auxiliary in 1998, and now operates a family restaurant.

• **Patricia Fogarty**, an attorney who practices at the Allegany County firm Seria & Fogarty P.C., where she is president. Fogarty graduated from Catholic University of America with a bachelor's degree in 1971 and a J.D. from the college's Columbus School of Law in 1974. She was district attorney for Allegany County in 1983, and has been a member of the Executive Committee of the Allegany County Bar Association and chair of its Pro Bono Committee since 1991.

• **Jeannine Lee**, a senior law librarian at the Supreme Court Library at Buffalo. Lee, who earned bachelor's and master of library science degrees from UB, worked as a reference librarian in the Buffalo and Erie County Public Library system before joining the Supreme Court library in 1985. She was appointed automated legal research trainer in 1997 and conducts many Internet and CD-ROM technology training sessions.

• **Hon. Ann Mikoll**, retired justice of state Supreme Court and the Appellate Division. A graduate of UB and UB Law, Mikoll was appointed to state Supreme Court in 1971. In 1977 she became the first woman named to an appellate court in New York. She has served as a member of the American Judges'

Association board of directors and from 1974-78 served on the New York State Commission on Judicial Conduct.

• **Sharon Thomas**, chief clerk of Buffalo City Court. Thomas in 1999 became the first African-American in the state, outside of New York City, to be appointed chief clerk. She joined Buffalo City Court as an information aide in 1974, serving as deputy chief clerk from 1981 to 1999. She earned a bachelor's degree in business administration and education from Daemen College in 1981. She is president of the YWCA of Buffalo board of directors and chairs its Racial Justice Committee.

• **Hon. Shirley Troutman**, Buffalo City Court judge. A graduate of UB and Albany Law School of Union University, Troutman began her legal career as an assistant Erie County district attorney in 1986. She was named an assistant attorney general for New York in 1989, then joined the U.S. Department of Justice in 1992 as an assistant U.S. Attorney. Troutman has been a City Court judge since 1994. An adjunct professor at UB Law, she serves on the St. John Christian Academy board of directors.

Tickets for the event are \$25.00, and tables of ten can be reserved. Reservations for the luncheon should be forwarded with checks made payable to Women in the Courts Committee to Shariene Von at the Bar Association of Erie County (852-8687, Ext. 20) or Sharon Wasielewski of the Eighth District Administrative Office (852-2850, Ext. 124).

For further information, please contact event chair Hon. Sheila DiTullio (858-2143) or Harry Brand, executive assistant for the Eighth Judicial District (852-2850, Ext. 111).

NYS Unified Court System



The Docket



VOLUME 1, ISSUE 2

FEBRUARY 2001

Eighth Judicial District

Inside this issue:

In the News

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Human Resources Update

GENDER FAIRNESS & ANTI-DISCRIMINATION PANEL COMMITTEE MEETING

The Gender Fairness and Anti-Discrimination Panel Committee chaired by Erie County Court Judge Sheila A. DiTullio recently met to discuss initiatives for 2001. The committee, along with local Bar Associations, will be sponsoring the 2nd Annual Luncheon to honor Women in the Law on Thursday, April 26, 2001 at the Golden Ballroom of the Stadler Hotel in Buffalo.

Anyone interested in nominating an outstanding woman who has served with excellence in their professional role or has contributed significantly to the community at large should send the nomination and letter stating the nominee's accomplishments to Judge DiTullio at Erie County Court, 92 Franklin St. or fax it to Harry Brand. Nominees are welcome from the judiciary, practicing and non-practicing bar, law enforcement, legal education, community leaders, as well as court staff. Nominations should be submitted no later than February 28th. The award recipients will be announced in March along with information regarding ticket sales for the event.

The Gender Fairness Committee also discussed ongoing measures to ensure that court staff is aware of remedies available should they experience discrimination or harassment. The Gender Fairness Committee, does not receive and investigate complaints, however, they are available to provide information as to options available to deal with complaints. One of the Options is the Anti-Discrimination Panel. The Anti-Discrimination Panels were formed to provide Unified Court System employees with an informal alternative to filing a formal, written complaint related to discrimination or sexual harassment. Panel members are fellow employees in the UCS chosen for this assignment on the basis of their ability to listen to people and find sensible solutions to problems. They are available to meet with employees to hear concerns and give immediate and practical assistance. Chief among their responsibilities is helping employees sort out their options.

Panel members are trained to understand the need for confidentiality and will respect an employee's interest in keeping the matter private.

The following are the 8th Judicial District's Anti-Discrimination Panel Members:

Clarence Charity
Deputy Chief Clerk
Buffalo City Court
847-8200

Jennifer Ellicott
Principal Office Assistant
Erie County Surrogate Court
854-7867

Linda Fogle
Principal Office Assistant
Niagara County Court
439-7153

Hon. Jerome Gorski
Supreme Court Justice
8th Judicial District
851-3363

Brenda Heath
Associate Court Attorney (Trial Part)
Orleans County MultiBench Court
589-4457

Ruby Olive
Court Clerk
Erie Supreme/County Courts
851-3236

Sheila Schwanekamp
Associate Court Attorney
Erie Supreme/County Courts
851-3450

Michelle Tendorf
Court Assistant
Buffalo City Court
847-8200

For more information regarding the Anti-Discrimination Panel, please contact the Workforce Diversity Office, 25 Beaver St., Room 10009, NY, NY 10004. Telephone (212) 428-2540.



AWARDS

Women in Law group will honor eight

By MATT GRUYTA

News Staff Reporter

Eight path-setters in the legal community will be honored at a local court committee's Women in the Law luncheon next month, Erie County Judge Sheila S. DiTullio said Tuesday.

DiTullio, chairwoman of the state court system's Eighth Judicial District Women in the Court Committee, said that in conjunction with May as National Women's History Month, the honorees were all selected for their outstanding contributions to the bench, bar, legal education and community.

Being honored at a luncheon May 14 in the Adam's Mark:

- Retired state appellate justice Ann T. Mikoll.

- A judge for 42 years before her 1999 retirement, Mikoll was the youngest person ever elected to Buffalo City Court. In 1971, Mikoll became the first woman in the state outside of New York City elected to the State Supreme Court. She spent the last 22 years of her career on the Albany-based appellate court.

- Buffalo matrimonial lawyer Grace Marie Ange.

- Kenmore attorney and feminist legal pioneer Lillian E. Cowan.

- Allegany County lawyer and political activist Patricia K. Fogery.

- Buffalo City Judge Shirley Troutman for her continuing efforts to make Buffalo City Court

- juries more racially equitable.

- Sharon Thomas, chief clerk of Buffalo City Court.

- Retired Chautauqua County court clerk and juror commissioner Donna L. Emo.

- Jeannine A. Lee, senior librarian at the Eighth Judicial District's library at Erie County Hall in Buffalo.

- Harry Brand, executive assistant to Vincent E. Doyle, administrative judge of the district, said reservations can be made by calling either Sharlene Von at the Erie County Bar Association at 852-8687, Ext. 20, or Sharon Wasielewski of the judicial district staff at 852-2850, Ext. 124.



NYS Unified Court System

The Docket

VOLUME 1, ISSUE 5
JUNE 2001
Eighth Judicial District

Inside this issue:

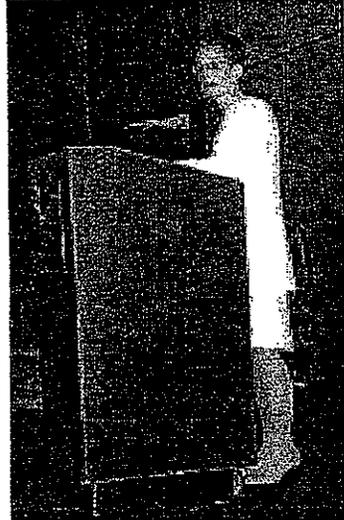
In the News

2



The Eighth Judicial District Women in the Courts Committee honored eight women at a May 14 awards luncheon at the Adam's Mark.

Honorees were, from left to right: Lillian Cowan, Retired Justice Ann Mikoll, Patricia Fogerty, Sharon Thomas, Donna Emo, Grace Marie Ange, Jeannine Lee and Hon. Shirley Troutman.



Women in the Courts Committee Chair Hon. Sheila DiTullio, Erie County Court Judge.



Among those in attendance at the awards luncheon were state Supreme Court Justices Hon. Rose Sconiers and Hon. Vincent E. Doyle.



Hon. Edgar NeMoyer, New York State Court of Claims judge, chats with State Supreme Court Justice, Hon. Barbara Howe.

D I S T R I C T H O N O R S W O M E N L E A D E R S



Honoree Lillian Cowan, a 1927 graduate of the University at Buffalo Law School.

SATURDAY, MARCH 12, 1991

SECTION D

Social News / D2

Entertainment / D3

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People



THE NEW YORK TIMES PUBLISHED EVERY DAY EXCEPT ON SUNDAYS

WOMANSCOPE



Pat Swift

Justice rules in the court of public opinion

Some women want to be called "girls" again, reclaiming a designation they think enhances their liberation. Not too many years ago women across the state fought a major battle to shed that label and, in an unrepentant mood, they will be celebrating their success next month.

Lawyers, judges, clerks and legislators will gather in New York City April 4 to mark the day 15 years ago when the New York Task Force on Women in the Courts called a halt to the wholesale bias against women in the state's judicial system.

The task force's 274-page report, released on April 22, 1986, contained evidence gathered in two years of meetings, public hearings, interviews and questionnaires showing women were denied equal justice, equal treatment and equal opportunity in the state's judicial system.

Public and private attorneys, judges, legislators, academics and women's advocates who made up the task force said gender bias happened when decisions and actions were based on preconceived notions of gender roles

Seminars for judges, lawyers and court personnel made courtrooms less hostile to women.

rather than on a fair and unswayed appraisal of merit. They found gender bias in laws written by and for men that seriously discriminated against women. They noticed that most judges, law clerks and district attorneys were male and how that

alone tipped the scales against women. Among court employees, women were in the lowest-paying jobs while men dominated the high-grade, high-paying positions.

Female attorneys told many tales of the system's built-in bias. Nothing angered them more than when a judge referred to them as girls, called them honey, commented on their physical attributes or ignored them. They said that conduct not only diminished them, it hurt their clients.

Having identified the problems, the task force gave way to a committee to implement its recommendations which in turn became today's New York Judicial Committee on Women in the Courts.

The statewide organization and its local committees have effected a sea change in the judicial system's attitudes, laws, procedures and personnel.

Seminars for judges, lawyers and court personnel made courtrooms less hostile to women.

With public meetings, publications and professional programs, the committee expedited statutory reforms in the prosecution of rape and sexual assault, domestic violence, sexual harassment, child support awards and the distribution of marital property.

Professional codes eased discrimination against women in law firms and more women moved into public office. Women comprised 20 percent of judges in 1996 compared to 11 percent in 1986. Women in nonjudiciary jobs began to move up. In 1986, they held 35 percent of the highest-grade jobs. Ten years later they had 48.8 percent of them.

Problems, never previously addressed, were solved. Children brought to court by their parents, usually mothers, were a distraction for the litigant and the court. The task force's suggestion that courts provide supervised waiting rooms for children grew into at least 14 centers for children providing extended services for them and their families.

Other problems were more difficult. Women's progress in the profession, especially in law schools, has not been as great as anticipated, sexual harassment persists, women's greater family burdens require a flexibility that the system does not always provide and many statutory reforms need fine-tuning.

Among those at the April 4 conference, "Miles Traveled and Miles to Go," will be County Judge Sheila A. DiTullio, current chairwoman of the Eighth Judicial District's Gender Bias and Racial Fairness Committee. The late State Supreme Court Justice M. Doloras Denman was the district's first chairwoman, followed by former Family Court Judge Marjorie M. Mix.



County Court

ERIE COUNTY
BUFFALO, NEW YORK 14202

SHEILA A. DI TULLIO
COUNTY JUDGE

716-858-2143

September 13, 2001

Carl M. Darnall, Esq.
Clerk of the Court
50 East Avenue - Suite 200
Rochester, New York 14604

Re: **Eighth Judicial District Gender and Racial Fairness Committee**

Dear Carl:

As we discussed in our recent telephone conversation, the Eighth Judicial District Gender and Racial Fairness Committee is requesting that a plaque honoring its past award recipients be displayed in the courthouse at the Fourth Department. I am the Chair of this Committee, whose members thought it would be an appropriate gesture to acknowledge those women within the judicial system who have been honored for their special contributions. Award recipients have included court clerks, attorneys, law librarians and others, both employees and non-employees of OCA.

I recently discussed this with Justice Pigott and noted that the purpose of this Committee is to ensure that our court employees treat all people fairly, toward the ultimate goal of eliminating any gender and/or racial bias within the court system. In addition, the Committee is available for court employees to ensure that their workplace is free of any kind of gender or racial discrimination. In my humble opinion, this is a significant committee within OCA and we all feel a plaque at the Fourth Department would reflect that.

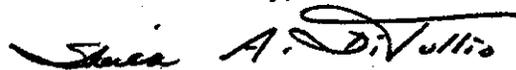
I had a very positive and productive conversation with Justice Pigott, who seemed very open to this proposal and instructed me to discuss this with you in order to work out the details.

Carl M. Darnall, Esq.
September 13, 2001
page 2

A list of the award recipients is enclosed for your review. Please, Carl, update me on anything further you may need and we will proceed with a design for the plaque and its display.

Thank you for your time and consideration concerning this matter.

Most sincerely,



SHEILA A. DiTULLIO
Erie County Court Judge

SAD/kmp
Encl.

- c. Hon. Eugene F. Pigott, Jr., Presiding Justice, Appellate Division, Fourth Department
Justice Vincent E. Doyle, Administrative Judge, Eighth Judicial District
Harry J. Brand, Jr., Executive Assistant
Marie Villari, Principal Court Analyst

EIGHTH JUDICIAL DISTRICT GENDER AND RACIAL FAIRNESS COMMITTEE

AWARD RECIPIENTS (2000)

- Hon. M. Dolores Denman
- Hon. Jacqueline M. Koshian, J.S.C.
- Charlotte Smallwood Cook, Esq.
- Ann E. Evanko, Esq.
- Maryann Saccomando Freedman, Esq.
- Marjorie L. Girth, Esq.
- Denise E. O'Donnell, Esq.
- Hon. Rose H. Sconiers, J.S.C.
- Lucinda Finley, Esq.
- Constance Eve

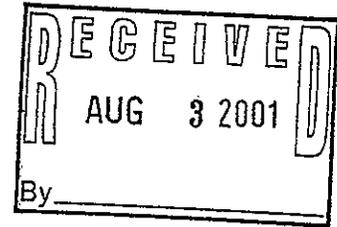
AWARD RECIPIENTS (2001)

- Grace Marie Ange, Esq.
- Lillian E. G. Cowan, Esq.
- Donna L. Emo
- Patricia K. Fogarty, Esq.
- Jeannine A. Lee
- Hon. Ann T. Mikoll J.S.C. (Retired)
- Sharon Thomas
- Hon. Shirley Troutman



STATE OF NEW YORK
UNIFIED COURT SYSTEM
EIGHTH JUDICIAL DISTRICT

206 ERIE COUNTY HALL
92 FRANKLIN STREET
BUFFALO, NEW YORK 14202-3979
(716) 852-2850
FAX (716) 852-3510



JONATHAN LIPPMAN
Chief Administrative Judge

JOSEPH J. TRAFICANTI, JR.
Deputy Chief Administrative Judge
Courts Outside New York City

August 2, 2001

VINCENT E. DOYLE
District Administrative Judge
Eighth Judicial District

HAROLD J. BRAND, JR.
Executive Assistant

TO: CHIEF CLERKS & SUPERVISORS OF COURTS LOCATED IN
ALLEGANY, CATTARAUGUS & WYOMING COUNTIES
8th JUDICIAL DISTRICT

FROM: HARRY BRAND

RE: Gender and Racial Fairness Committee Luncheon Meeting

Judge Sheila A. DiTullio, Chairperson of the 8th District Gender and Racial Fairness Committee has scheduled a lunch meeting for Tuesday, August 28, 2001 in Cattaraugus Co. Family Court, 1701 Lincoln Avenue, Olean New York 14760.

We encouraging you, as well as your non-judicial staff, to attend this meeting to meet members of the committee, to include Alice Chapman, O.C.A. Director of the Workforce Diversity Office, who will be available to discuss issues related to gender and racial discrimination. Committee members welcome an opportunity to discuss the mission and goal of the committee and to meet with staff from the court.

The meeting will be held in Family Court at 12:00 noon. Lunch will be included. We would appreciate it if you would advise Sharon Wasielewski of this office as to the number of employees attending from your court.

Please ensure that each member of you staff as well as chambers' staff receives a copy of this memo and has an opportunity to attend subject to your courts' operational needs.

All justices and judges are, of course, welcome to attend.

Should you have any questions, please do not hesitate to contact our office.

Harold Brand
HAROLD BRAND

HJB/sw

- c: Hon. Vincent E. Doyle
- Hon. Sheila A. DiTullio
- Hon. Michael Nenno
- Hon. Larry Himelein
- Hon. James Euken
- Hon. Judith Samber
- Hon. Mark Dadd
- Hon. Michael Griffith
- Hon. William Mountain

July 13, 2001

TO: CHIEF CLERKS & SUPERVISORS,
CHAUTAUQUA COUNTY
8th JUDICIAL DISTRICT

FROM: HARRY BRAND

RE: Gender and Racial Fairness Committee Luncheon Meeting

Judge Sheila A. DiTullio, Chairperson of the 8th District Gender and Racial Fairness Committee has scheduled a lunch meeting for Thursday, July 26, 2001 in Mayville.

We are pleased to have the Honorable John T. Ward as a new member of the Committee. We are encouraging you, as well as your non-judicial staff, to attend this meeting to meet members of the committee who will be available to discuss issues related to gender and racial discrimination. Committee members welcome an opportunity to discuss the mission and goal of the committee and to meet with staff from the court.

The meeting will be held in County Court at 12:00 noon. Lunch will be included. We would appreciate it if you would advise Sharon Wasielewski of this office as to the number of employees attending from your court.

Please ensure that each member of your staff as well as chambers' staff receives a copy of this memo and has an opportunity to attend subject to your courts' operational needs.

All justices and judges are, of course, welcome to attend.

Should you have any questions, please do not hesitate to contact our office.

HARRY BRAND

HJB/di

c: Hon. Vincent E. Doyle
Hon. Sheila A. DiTullio
Hon. Joseph Gerace
Hon. Salvatore Martoche
Hon. John T. Ward
Hon. Judith Claire
Hon. Stephen Cass

MEMORANDUM



Hon. Sheila A. DiTullio
County Court, Part 3

DATE: September 5, 2001

TO: HON. VINCENT E. DOYLE
District Administrative Judge - Eighth Judicial District

FROM: HON. SHEILA A. DiTULLIO
County Court, Part 3

RE: **Eighth Judicial District Gender and Racial Fairness Committee Update**

This memo is to update you on the activities and accomplishments of the Eighth Judicial District's "Gender and Racial Fairness Committee." The full Committee held a meeting on July 2nd of this year and discussed many issues, including a potential protocol arising from a recent Buffalo City Court incident (i.e., a protocol for transferring a court clerk or other OCA employee from one courtroom to another if considered necessary and appropriate); potential programs for Domestic Violence Month (October); a plaque to be displayed at the Fourth Department memorializing previous Committee award recipients, and discussion of programs for those areas outside Erie County within our District for the months of July and August.

I am pleased to inform you that we had two luncheons this summer: one in Mayville, New York on July 26th, and one in Olean, New York on August 28th. At the Mayville meeting I introduced myself as the new Chair of the Committee and led a general discussion with Chautauqua County OCA employees on the purpose of the Committee and what we actually do. I emphasized the fact that the Committee strongly encourages all employees to treat people fairly, regardless of color or gender, and reminded them that the Committee is here for them as OCA employees to respond to any complaints or issues they have concerning gender or racial discrimination within the workplace. I also introduced the Hon. John Ward as a new member of the Committee and noted that they now have direct representation on the Committee, could forward any complaints directly to Judge Ward, and he in turn, could then present them to the full Committee. We had extremely good attendance at this luncheon; those present seemed to deeply appreciate that we had a luncheon and took the time to visit and remind them of the purpose and importance of this Committee. Marie Villari accompanied me to this meeting and also discussed the workings of the "Gender and Racial Fairness Committee" as well as other administrative issues relevant to those who attended. Marie was a vital part of this meeting and handled all the pre-luncheon details and logistics.

Memo: Justice Vincent E. Doyle
September 5, 2001
page 2

On August 28,th MarieVillari and I travelled to Olean, New York to meet with the OCA employees from Allegany, Cattaraugus and Wyoming counties. Again, we had a luncheon and I introduced myself and discussed the purpose and focus of the Committee. In addition, Alice Chapman, OCA Director of the Workforce Diversity Office, also accompanied us and gave a worthwhile, pleasant and informative presentation regarding what she does and how she can direct and help them with workplace issues. Again, the employees seemed pleased that we travelled to their geographic area and were most pleased with the relaxed and informal nature of the meeting. I emphasized at both these luncheons that I would like more representation on the Committee from the outlying areas within the Eighth Judicial District and that we are making a point to make that happen.

Our next meeting is scheduled for September 13th at noon in Erie County at the Fourth Floor Library, where we will discuss programs for Domestic Violence Month (October, 2001) and other topics relevant to the Committee people.

If there is anything specific, Justice Doyle, that you would like me to address as Chair of this Committee, please do not hesitate to call.

Thank you.

SAD/kmp

c: Harold Brand, Jr.
Marie Villari
Alice Chapman



STATE OF NEW YORK
UNIFIED COURT SYSTEM
EIGHTH JUDICIAL DISTRICT

92 FRANKLIN STREET
BUFFALO, NEW YORK 14202-3979
(716) 851-3273
FAX (716) 855-1611

JONATHAN LIPPMAN
Chief Administrative Judge

JOSEPH J. TRAFICANTI, JR.
Deputy Chief Administrative Judge
Courts Outside New York City

October 1, 2001

VINCENT E. DOYLE
District Administrative Judge
Eighth Judicial District

HAROLD J. BRAND, JR.
Executive Assistant

TO: CHIEF CLERKS & AGENCY SUPERVISORS,
LOCATED IN LOCKPORT

FROM: HON. VINCENT E. DOYLE,
Administrative Judge, 8th Judicial District

Re: Domestic Violence Awareness Month

As part of the 8th Judicial District's Gender and Racial Fairness Committee's continuing efforts to increase awareness of the impact of domestic violence on families to include those of court employees, and to commemorate the month of October as Domestic Violence Awareness Month, a meeting has been scheduled for Wednesday, October 17, 2001.

Erie County Court Judge Sheila A. DiTullio, Chair of the Committee along with Justice Amy J. Fricano and Kathy Granachelli, Director of the Niagara County YWCA, will give brief presentations regarding Domestic Violence and the Unified Court System's Domestic Violence Policy.

The meeting will begin at 12 noon at Niagara County Court. We expect that it will conclude by 1:00p.m.

We are asking that you share this invitation with members of your staff, and invite them to attend. Since lunch will be included, we are requesting that you notify Linda Fogle of Niagara County Court by e-mail or telephone at 439-7358 of the names of those employees in your court or agency interested in attending by October 10th.

Should you have any questions, please contact Judge DiTullio or Marie Villari.


HON. VINCENT E. DOYLE

VED:mv

C: Hon. Sheila A. DiTullio
Justices/Judges located in Lockport
Harry Brand, Esq.



STATE OF NEW YORK
**UNIFIED COURT SYSTEM
EIGHTH JUDICIAL DISTRICT**

206 ERIE COUNTY HALL
92 FRANKLIN STREET
BUFFALO, NEW YORK 14202-3979
(716) 852-2850
FAX (716) 852-3510

JONATHAN LIPPMAN
Chief Administrative Judge

JOSEPH J. TRAFICANTI, JR.
Deputy Chief Administrative Judge
Courts Outside New York City

October 19, 2001

VINCENT E. DOYLE
District Administrative Judge
Eighth Judicial District

HAROLD J. BRAND, JR.
Executive Assistant

TO: CHIEF CLERKS & AGENCY SUPERVISORS,
LOCATED IN NIAGARA FALLS

FROM: HON. VINCENT E. DOYLE,
Administrative Judge, 8th Judicial District

Re: Domestic Violence Awareness Month

As part of the 8th Judicial District's Gender and Racial Fairness Committee's continuing efforts to increase awareness of the impact of domestic violence of families to include those of court employees, and to commemorate the month of October as Domestic Violence Awareness Month, a meeting has been scheduled for Wednesday, October 31, 2001.

Erie County Court Judge Sheila A. DiTullio, Chair of the Committee along with Justice Amy J. Fricano and Debbie Aloian, Shelter Coordinator for Children and Family Services, will give brief presentations regarding Domestic Violence and the Unified Court System's Domestic Violence Policy.

The meeting will begin at 12 noon at Niagara Falls City Court Conference Room, 1st Floor at 520 Hyde Park Blvd. We expect that it will conclude by 1:00 p.m.

We are asking that you share this invitation with members of your staff, and invite them to attend. Since lunch will be included, we are requesting that you notify Cindy Davey of Niagara Falls City Court by e-mail or telephone at 278-9820 of the names of those employees in your court or agency interested in attending by October 26th.

Should you have any questions, please contact Judge DiTullio or Marie Villari.

A handwritten signature in black ink, appearing to read "V. Doyle", with a long horizontal line extending to the right.

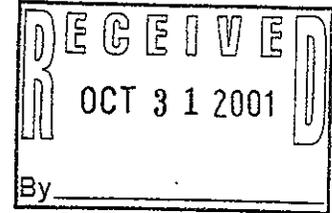
HON. VINCENT E. DOYLE

VED:sw

C: Hon. Sheila A. DiTullio
Hon. Amy J. Fricano
Justice/Judges Located in Niagara Falls
Harry Brand, Esq.



STATE OF NEW YORK
UNIFIED COURT SYSTEM
EIGHTH JUDICIAL DISTRICT
 206 ERIE COUNTY HALL
 92 FRANKLIN STREET
 BUFFALO, NEW YORK 14202-3979
 (716) 852-2850
 FAX (716) 852-3510



JONATHAN LIPPMAN
 Chief Administrative Judge

October 25, 2001

VINCENT E. DOYLE
 District Administrative Judge
 Eighth Judicial District

JOSEPH J. TRAFICANTI, JR.
 Deputy Chief Administrative Judge
 Courts Outside New York City

HAROLD J. BRAND, JR.
 Executive Assistant

TO: CHIEF CLERKS & AGENCY SUPERVISORS,
 LOCATED IN ERIE COUNTY (*Buffalo*)

FROM: HON. VINCENT E. DOYLE,
 Administrative Judge, 8th Judicial District *VED*

Re: Domestic Violence Awareness Month

As part of the 8th Judicial District's Gender and Racial Fairness Committee's continuing efforts to increase awareness of the impact of domestic violence of families to include those of court employees, and to commemorate the month of October as Domestic Violence Awareness Month, a meeting has been scheduled for Wednesday, November 7, 2001.

Erie County Court Judge Sheila A. DiTullio, Chair of the Committee along with Remla Parathasarathy, Coordinator, Safe Home Network for Haven House, will give brief presentations regarding Domestic Violence and the Unified Court System's Domestic Violence Policy.

The meeting will begin at 9:00 a.m. at Buffalo City Court, 7th Floor, Part 16 at 50 Delaware Avenue. We expect that it will conclude by 10:00 a.m.

We are asking that you share this invitation with members of your staff, and invite them to attend. Pastries and coffee will be served, we are requesting that you notify Sharon Wasielewski of the District Office by e-mail or telephone at 852-2850 extension 124 of the names of those employees in your court or agency interested in attending by November 1st.

Should you have any questions, please contract Judge DiTullio or Marie Villari.

VED:sw

C: Hon. Sheila A. DiTullio
 Justice/Judges Located in Erie County
 Harry Brand, Esq.

POUGHKEEPSIE JOURNAL
Wednesday, April 25, 2001
p. B5, col. 1

Women in Law group will honor eight

By **MATT GRYTA**

News Staff Reporter

Eight path-setters in the legal community will be honored at a local court committee's Women in the Law luncheon next month, Erie County Judge Sheila S. DiTullio said Tuesday.

DiTullio, chairwoman of the state court system's Eighth Judicial District Women in the Court Committee, said that in conjunction with May as National Women's History Month, the honorees were all selected for their outstanding contributions to the bench, bar, legal education and community.

Being honored at a luncheon May 14 in the Adam's Mark:

- Retired state appellate justice Ann T. Mikoll.

A judge for 42 years before her 1999 retirement, Mikoll was the youngest person ever elected to Buffalo City Court. In 1971, Mikoll became the first woman in the state outside of New York City elected to the State Supreme Court. She spent the last 22 years of her career on the Albany-based appellate court.

- Buffalo matrimonial lawyer Grace Marie Ange.
- Kenmore attorney and feminist legal pioneer Lillian E. Cowan.
- Allegany County lawyer and political activist Patricia K. Fogery.
- Buffalo City Judge Shirley Troutman for her continuing efforts to make Buffalo City Court juries more racially equitable.
- Sharon Thomas, chief clerk of Buffalo City Court.
- Retired Chautauqua County court clerk and juror commissioner Donna L. Emo.
- Jeannine A. Lee, senior librarian at the Eighth Judicial District's library at Erie County Hall in Buffalo.

Harry Brand, executive assistant to Vincent E. Doyle, administrative judge of the district, said reservations can be made by calling either Sharlene Von at the Erie County Bar Association at 852-8687, Ext. 20, or Sharon Wasielewski of the judicial district staff at 852-2850, Ext. 124.



County Court

ERIE COUNTY
BUFFALO, NEW YORK 14202

SHEILA A. DI TULLIO
COUNTY JUDGE

716-858-2143
Fax 851-3334
E-Mail: sditullio@courts.state.ny.us

April 9, 2002

TO: MEMBERS OF THE 8TH JUDICIAL DISTRICT GENDER AND RACIAL
FAIRNESS COMMITTEE

FROM: HON. SHEILA A. DI TULLIO *SAD*

RE: Gender & Racial Fairness Meeting/Luncheon - Rochester

I am pleased to advise that Presiding Justice Eugene F. Pigott has approved the Committee's request to provide space in the Appellate Division's Building in Rochester for the plaque memorializing those women honored at the Women in the Courts Awards Luncheons held in 2000 and 2001.

A luncheon will be held in Rochester on Monday, May 20th at noon, which will constitute the Committee's first formal meeting for the year 2002. Carl M. Darnall, Clerk of the Court for the Appellate Division, Fourth Department, has graciously arranged for a luncheon which will be reimbursed by the Eighth District Administrative office. There will also be an informal presentation of the "Hon. M. Dolores Denman Women Leadership Awards Plaque" to Justice Pigott at the luncheon.

I am hopeful that all Committee members can attend this special luncheon. If you are interested in attending, please notify my secretary, Karen Piegzik at 858-2143 by May 1st. Non-judicial personnel should have supervisor's approval and the usual requirements for pre-approval of travel by the District office for non-judicial employees applies.

Again, I strongly urge you to attend this Committee meeting in Rochester; it promises to be a pleasant afternoon. (A map is enclosed for your convenience.)

c: Hon. Eugene F. Pigott, Jr.
✓ Hon. Vincent E. Doyle
Harold J. Brand, Jr., Esq.
Carl M. Darnall, Esq.

Ninth Judicial District Committee to Promote Gender Fairness in the Courts

Hon. Terry Jane Ruderman
Judge, Court of Claims
140 Grand Street, 9th Floor
White Plains, NY 10601

Telephone: (914) 428-6888
Fax: (914) 428-1306

LOCAL COMMITTEES 2001-2002

Name of the Committee:

Ninth Judicial District Committee to Promote Gender Fairness in the Courts

Name, Address and Telephone and Fax Numbers of Chair:

Hon. Terry Jane Ruderman, New York State Court of Claims, 140 Grand Street, Suite 507, White Plains, NY 10601, [Telephone] (914) 289-2310, [Fax] (914) 289-2313, truderma@courts.state.ny.us

Meeting Dates in the past year:

Full committee meetings: September 5, 2001, November 2, 2001, January 23, 2002, March 21, 2002

Essay contest

subcommittee meetings: October 25, 2001, March 7, 2002

Long range planning

subcommittee meeting: October 9, 2001

Activities for Domestic Violence Awareness Month:

The committee organized a seminar in Rockland County entitled, "Ethical Issues Affecting Representation of and by Women in Supreme, Family and Criminal Court." Several other organizations joined as co-sponsors. Hon. Margaret Garvey, Hon. Carol S. Klein, Hon. John W. Sweeny, Jr. and Victoria L. Lutz, Esq., Executive Director of the Pace University School of Law Women's Justice Center were the speakers. Attorneys in attendance were able to earn CLE credit through Pace.

Activities for Women's History Month 2002:

The committee sponsored an essay contest open to all high school students in the Ninth Judicial District. The topic was, "How do the events of September 11, 2001 relate to the treatment of women in the United States and abroad?" Local bar associations contributed to the cash prizes to be awarded at a breakfast in the courthouse on April 19, 2002.

Other Activities in the Past Year:

On May 11, 2001, we held a breakfast in White Plains to award the student winners of our

2001 Essay Contest in recognition of Women's History Month. At the breakfast, Hon. Terry Jane Ruderman and Hon. Francis Nicolai, Administrative Judge of the Ninth Judicial District, presented the winners with their prizes. The students, their parents, school administrators, teachers, bar leaders, judges, attorneys and committee members joined in the celebration.

During the course of the year we had various speakers at our meetings, including Nancy Mangold, Assistant Deputy Chief Administrator, Division of Court Operations; Alizabeth Newman, Director of Immigrant Initiatives at CUNY Law School and Hon. Juanita Bing Newton, Deputy Chief Administrative Judge for Justice Initiatives.

Plans for Next Year:

We intend to present a CLE program in recognition of Domestic Violence Awareness Month and will again sponsor a high school essay contest in celebration of Women's History Month. We are also planning a project that will serve to educate the public on the topics of custody and child support.

**The Ninth Judicial District
Committee to Promote Gender Fairness in the Courts,
The Pace Women's Justice Center,
The Rockland County Women's Bar Association,
The Westchester Women's Bar Association,
The Women's Bar Association of Orange & Sullivan Counties,
The Rockland Family Shelter, and
The STOP FEAR Coalition**

Present

**Ethical Issues Affecting Representation
of and by Women in Supreme,
Family, and Criminal Court**

DATE: October 25, 2001

TIME: 5:30 p.m. - 8:30 p.m.

PLACE: Suffern Library
210 Lafayette Avenue
Suffern, NY 10901

SPEAKERS: The Honorable Margaret Garvey
The Honorable Carol S. Klein
The Honorable John W. Sweeny, Jr.
Victoria L. Lutz, Esq.

*Three Hours of transitional CLE Ethics credit will be offered for the segments between 5:30 p.m. & 6:30 p.m. and 7:00 p.m. & 8:30 p.m. The cost is \$25.00. * A light dinner will be served. For more information call Maureen A. Moran, Esq., at (845) 634 6126.*

**Full or partial scholarships are available to all attorneys working in government or not-for-profit organizations. Special payment or fee waiver arrangements are available for unemployed attorneys.*

THE NINTH JUDICIAL DISTRICT
COMMITTEE TO PROMOTE
GENDER FAIRNESS
IN THE COURTS

INVITES YOU TO ATTEND
A BREAKFAST HONORING
THE WINNERS OF OUR ESSAY CONTEST
CELEBRATING
WOMEN'S HISTORY MONTH

Friday, May 11, 2001

9:15 a.m.

Surrogate's Courtroom
140 Grand Street, 8th Floor
White Plains, NY

Please R.S.V.P. to Debbie Sellas
(914)428-6888 or dsellas@courts.state.ny.us
by Friday, May 4, 2001

OFF THE RECORD

NEWSLETTER OF THE NEW YORK STATE COURT OF CLAIMS
P.O. BOX 7344, ALBANY, NY 12224
www.nyscourtofclaims.state.ny.us
June 2001 - Vol. 9, No. 4



GENDER FAIRNESS COMMITTEE CELEBRATES WOMEN'S HISTORY MONTH

Judge Terry Jane Ruderman chairs the Ninth Judicial District Committee to Promote Gender Fairness in the Courts. In celebration of Women's History Month, the Committee sponsored an essay contest open to all high school students in the Ninth Judicial District. Students were offered topics relating to gender equality in the courts and schools. Thanks to the generosity of local bar associations within the district, monetary awards were available for the winners. At a breakfast held in White Plains, Judge Ruderman and Judge Francis Nicolai, Administrative Judge of the Ninth Judicial District, presented the winners with their prizes. Joseph Remy of Carmel High School and Jordan Stuppler of Lakeland High School were runner-ups in the contest. Candice Tate of Warwick Valley High School wrote the winning essay in the freshman/sophomore category and Rachel Beck of Horace Greeley High School wrote the winning essay in the junior/senior category. The students read their essays to the 40 assembled guests. The Committee members, as well as the White Plains court staff, joined in the celebration.



L-R: Hon. Terry Jane Ruderman, NYS Court of Claims;
Rachel Beck; Joseph Remy; Candice Tate;
Hon. Francis A. Nicolai, Administrative Judge, Ninth Judicial District



L-R: Hon. Terry Jane Ruderman, NYS Court of Claims; Hon. Juanita Bing Newton,
Deputy Chief Administrative Judge for Justice Initiatives; Hon. Sondra Miller,
Appellate Division, Second Department

**The Ninth Judicial District
Committee to Promote Gender Fairness in the Courts,
The Pace Women's Justice Center,
The Rockland County Women's Bar Association,
The Westchester Women's Bar Association,
The Women's Bar Association of Orange & Sullivan Counties,
The Rockland Family Shelter, and
The STOP FEAR Coalition**

Present

**Ethical Issues Affecting Representation
of and by Women in Supreme,
Family, and Criminal Court**

October 25, 2001

5:30 p.m. - 8:30 p.m.

**Suffern Library
210 Lafayette Avenue
Suffern, NY 10901**

**The Honorable Margaret Garvey
The Honorable Carol S. Klein
The Honorable John W. Sweeny, Jr.
Victoria L. Lutz, Esq.**

*Three Hours of transitional CLE Ethics credit will be offered for the segments between 5:30 p.m. & 6:30 p.m. and 7:00 p.m. & 8:30 p.m. The cost is \$25.00. * A light dinner will be served. For more information call Maureen A. Moran, Esq., at (845) 634 6126.*

**Full or partial scholarships are available to all attorneys working in government or not-for-profit organizations. Special payment or fee waiver arrangements are available for unemployed attorneys.*

1. Jack and Diane were happily married for most of the past 10 years. Jill, their neighbor across the street, has been a friend of Jack's for 15 years. During this past year, Jack and Diane's marriage has disintegrated and they want to end it. Jill, being a great divorce attorney, was asked by Jack to represent him. Jill would like to represent Jack because they were such close friends. Should she take the case? What if part of the reason the marriage broke up is because Diane thought that Jack and Jill were "too close"? What if Jack and Jill never had a physical relationship?

• NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY

DR 1-102 Misconduct

(a) A lawyer or law firm shall not:

(1) Engage in conduct that is prejudicial to the administration of justice.

(7) Engage in any other conduct that adversely reflects on the lawyer's fitness as a lawyer.

DR 5-101 Conflicts of Interest-Lawyer's Own Interests

(a) A lawyer shall not accept employment if the exercise of professional judgment on behalf of the client will be or reasonably may be affected by the lawyer's own financial, business, property, or personal

interests, unless a disinterested lawyer would believe that the representation of the client will not be adversely affected thereby and the client consents to the representation after full disclosure of the implications of the lawyer's interest.

DR 5-102 Lawyers as Witness

(a) A lawyer shall not act, or accept employment that contemplates the lawyer's acting as an advocate on issues of fact before any tribunal if the lawyer knows of it is obvious that the lawyer ought to be called as a witness on a significant issue on behalf of the client, except that the lawyer may act as an advocate and also testify:

- (1) If the testimony will relate solely to an uncontested issue.
- (2) If the testimony will relate solely to a matter of formality and there is no reason to believe that the substantial evidence will be offered in opposition to the testimony.
- (3) If the testimony will relate solely to the nature and the value of legal services rendered in the case by the lawyer or the lawyer's firm to the client.
- (4) As to any matter, if disqualification as an advocate would work a substantial hardship on the client because of the distinctive value of the lawyer as counsel in the particular case.

(b) Neither a lawyer nor the lawyer's firm shall accept employment in contemplated or pending litigation if the lawyer already knows or it is obvious that the lawyer or another lawyer in the lawyer's firm may be called as a witness on a significant issue other than on behalf of the client, and it is apparent that the testimony would or might be prejudicial to the client.

2. **Melissa, an attorney recently out of law school, has been assigned as a law guardian to Evan. Evan is a 16-year-old boy who has witnessed spousal abuse throughout his life. At the end of a session, Wendy, Evan's girlfriend, comes to pick Evan up and is five minutes late. Melissa witnesses Evan become verbally abusive towards Wendy. Wendy seems frightened of Evan and apologizes profusely. Melissa also notices Wendy is wearing a turtleneck sweater but the temperature is 80 degrees out. Melissa is suspicious that Evan has become an abuser just as his father was. Evan is her client so is there any way she can help Wendy? What if Wendy had visible bruises? What if Melissa saw Evan strike Wendy when they were driving away? What if Melissa didn't witness any events but Evan said he hits Wendy lightly and occasionally, and only when she gets out of line?**

- **NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY**

- DR 4-101 Preservation of Confidences and Secrets of a Client**

- (a) "Confidence" refers to a information protected by the attorney-client privilege under applicable law, and "secret" refers to other information gained in the professional relationship that the client has requested be held inviolate of the disclosure or which would be embarrassing or would be likely to be detrimental to the client.

(b) Except when permitted under DR 4-101(c), a lawyer shall not knowingly:

(1) Reveal a confidence or secret of a client.

(2) Use a confidence or secret of a client to the disadvantage of the client.

(3) Use a confidence or secret of a client to the advantage of the lawyer or of a third person, unless the client consents after full disclosure.

(c) A lawyer may reveal:

(1) Confidences or secrets with the consent of a client or clients affected, but only after a full disclosure to them.

(2) Confidences or secrets when permitted under disciplinary rules or required by law or court order.

(3) The intention of a client to commit a crime and the information necessary to prevent the crime.

DR 7-101 Representing a Client Zealously

(a) A lawyer shall not intentionally:

(4) Prejudice or damage the client during the course of the professional relationship, except as required under section 1200.33(b) or as authorized by section 1200.15 of this part.

DR 7-104 Communicating With Represented and Unrepresented Parties

(a) During the course of the representation of a client a lawyer shall not:

(2) Give advice to a party who is not represented by a lawyer, other than the advice to secure counsel, if the interests of such party are or have a reasonable possibility of being in conflict with the interests of the lawyer's client.

- Reporting Suspicions of Child Abuse What must a Family Lawyer Do?, 17-WTR Fam. Advoc. 50. Many states have laws that require any person to report any suspected child abuse, although when it comes to being a lawyer representing the abuser, the attorney seems to have discretion. A lawyer cannot simply ignore the problem and hope it goes away. The lawyer should try to dissuade the client from continuing the abuse and try to advise the client to receive treatment.

Testing the Radical Experiment: A Study of Lawyer Response to Clients

Who Intend to Harm Others. 47 Rutgers L. Rev. 81. There are no laws mandating disclosure of information to prevent future harm to others (except death or substantial bodily harm). Lawyers must often look to their consciences and to the code to decide what to do. One survey found that only half of those lawyers that were required to disclose under RPC 1.6(b) to prevent death or substantial bodily harm had in fact made disclosure.

3. Eddie comes into your office and says that his elderly mother, Mrs. Haskell, wants to transfer her house to him. Who is the client? Can you act without interviewing the mom first? Who should be at the meeting? What if mom has other children but this one is her favorite? What if you know that this child is the most intimidating to the mother?

- **NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY**

DR 1-102 Misconduct

(a) A lawyer or firm shall not:

- (1) Violate a Disciplinary Rule.
- (2) Circumvent a Disciplinary Rule through actions of another.
- (3) Engage in illegal conduct that adversely reflects on the lawyer's honesty, trustworthiness or fitness as a lawyer.
- (4) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.
- (5) Engage in conduct that is prejudicial to the administration of justice.
- (7) Engage in any other conduct that adversely reflects on the lawyer's fitness as a lawyer.

DR 5-107 Avoiding Influence by Others Than the Client

(a) Except with the consent of the client after full disclosure a lawyer shall not:

(1) Accept compensation for legal services from one other than the client.

(2) Accept from one other than the client anything of value related to his or her representation of or employment by the client.

(b) Unless authorized by law, a lawyer shall not permit a person who recommends, employs, or pays the lawyer to render legal service for another to direct or regulate his or her professional judgment in rendering such legal services, or to cause the lawyer to compromise the lawyer's duty to maintain the confidences and secrets of the client under section 1200.19(b) of this Part.

- CASE LAW

Matter of Disciplinary Proceeding Against Strasburg, 452 N.W.2d 152

(1990). An attorney was retained by a couple to deal with their mother's finances. The attorney had a psychologist evaluate the mother's competence and she was found to be incompetent, but several days later

she made significant improvement. The attorney advised the daughter to transfer mother's savings account (\$31,000) to the daughter's name.

(When the attorney had met with the mother, the mother had informed the attorney that she did not want a guardian.) The attorney was asked to create a trust document by the daughter and he did so without consulting the mother. This was considered a violation of SCR 20.30(2) because he permitted persons other than his client to direct his professional judgment in rendering legal services to the client and neglected his client's legal matter, and in violation of SCR 20.32(3) because he failed to communicate with the client prior to taking actions on her behalf. The attorney was suspended from practice for two years.

4. **Brittania Spiers is a new associate at Simon & Garfunkle L.L.P. The firm has been retained and Ms. Spiers has been assigned to defend Texacon in an employee discrimination suit. During the past several meetings with Mr. Handy, Texacon's representative, he has redirected the conversation regarding the case to a conversation of a personal nature. He has regularly invaded Ms. Spiers' physical space, has commented positively on her attire and generally makes Ms. Spiers uncomfortable in his presence. Ms. Spiers has responded by pointing out the inappropriateness of his actions and informing him of the specific rules prohibiting sexual relations with clients, at which he has acted insulted. Now he insists on taking her to dinner to establish his "bonafides." Ms. Spiers declined this offer and concluded today's meeting. After his departure, Ms. Spiers realized that she never discussed certain issues that need to be addressed prior to trial, which is in a few days. At this point, Ms. Spiers does not wish to communicate with Mr. Handy, because she worries that Mr. Handy will misunderstand the nature of her call.**

What should Ms. Spier's first response be-

- (a) Speak with a supervising partner and request a different assignment?**

- (b) Speak to Mr. Handy's supervisor and ask to have Mr. Handy replaced or reprimanded?**
- (c) Speak to Mr. Handy directly and inform him that Ms. Spiers will withdraw as counsel if his behavior continues?**
- (d) Do nothing, even though Mr. Handy's conduct is an impediment to Ms. Spiers' effectiveness as an attorney, since all other options may have a detrimental effect on Ms. Spiers' career?**

Spin Off:

Six months later – Ms. Spiers is forced to handle the case against her request, and the judgment is adverse to Texacon. Simon & Garfunkle firm has been fired and a grievance has been filed alleging Ms. Spiers' incompetence.

How does Ms. Spiers respond to the grievance committee-

- (a) Does she reveal Mr. Handy's conduct and explain that both Simon & Garfunkle and Texacon were informed of his behavior and refused to take any affirmative action regarding the situation?**

(b) File a sexual harassment suit and provide a copy of the complaint?

New York Code of Professional Responsibility

§ 1200.29-a [DR 5-111] Sexual Relations with Clients

(b) A lawyer shall not:

- (1) Require or demand sexual relations with a client or third party incident to or as a condition of any professional representation.
- (2) Employ coercion, intimidation, or undue influence in entering into sexual relations with a client
- (3) In domestic relations matters, enter into sexual relations with a client during the course of the lawyer's representation of the client.

§ 1200.32 [DR 7-101] Representing a Client Zealously

- (3) Prejudice or damage the client during the course of the professional relationship...except as authorized under §1200.15

§ 1200.15 [DR 2-110]

(b) Mandatory Withdrawal. A lawyer...*shall* withdraw from employment, if:

- (2) The lawyer knows or it is obvious that continued employment will result in violation of a disciplinary rule.
- (3) The lawyer's mental or physical condition renders it unreasonably difficult to carry out the employment effectively.

Case Law

Vitale v. Rosina Food Products Incorporated, 727 N.Y.S.2d 215, 217 (N.Y. App. Div. 2001). This decision resulted from separate actions commenced by five women who were formerly employed by defendant and alleged that they were subject to sexual harassment at their plant, which was so severe that it created a hostile work environment. The court explained that a prima facie case existed in each action where the plaintiff proved that: (1) he or she belongs to a protected group; (2) he or she was subject of unwelcome sexual harassment; (3) the harassment was based on gender; (4) the harassment affected a term, condition, or privilege of employment; and (5) the employer knew or should have known of the harassment and failed to take remedial action. An actionable hostile work environment exists when the workplace is permeated with discriminatory intimidation, ridicule, and insult that is sufficiently severe or pervasive to alter the terms or conditions of employment.

5. A prospective client has come to you seeking representation against a temporary restraining order, in which it is alleged that your client threatened to kill his wife, the children, the responding police, and himself. He vehemently denies all family offense charges and explains that his marriage is over and his wife is trying to get even with him for "wanting out". One can describe him as a clean cut, respectable looking man, with a calm demeanor. You learn that he has earned a B.B.A. and is a corporate manager in a local business. He thinks his wife is looking for a huge maintenance and child support award and has brought these charges as a ploy to get more money and him out of the house.

Do you have an ethical obligation to investigate the validity of such charges?

If so what type inquiry should you make?

What do you do if you believe the claims may be meritorious?

Spin Off: Suppose the client wants you to get an order of protection for him. What ethical considerations and lines of questioning should you entertain?

New York Code of Professional Responsibility

§ 1200.19 [DR 4-101] Preservation of Confidences and Secrets of a Client

(a) "Confidence" refers to information protected by the attorney-client privilege under applicable law, and "secret" refers to other information gained in the professional relationship that the client has requested be held inviolate or the disclosure of which would be embarrassing or would be likely to be detrimental to the client.

(b) Except when permitted under subdivision (c) of this section, a lawyer shall not knowingly:

(1) Reveal a confidence or secret of a client.

(c) A lawyer may reveal:

(2) The intention of a client to commit a crime and the information necessary to prevent the crime.

§ 1200.14 [DR 2-109] Obligation to Decline Employment

(a) A lawyer shall not accept employment on behalf of a person if the lawyer knows or it is obvious that such person wishes to:

(1) Bring a legal action...merely for the purpose of harassing or maliciously injuring any person.

§ 1200.33 [DR 7-102] Representing a Client Within the Bounds of the Law

(a) In the representation of a client a lawyer shall not:

- (1) File a suit...on behalf of a client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another.

ABA Model Rule 8.3 Reporting Professional Misconduct

(a) A lawyer having knowledge that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, *shall* inform the appropriate professional authority.

Suggested Screening Questions

Searching Out a Batterer

- How often do you call your spouse in a day?
- Does your spouse get together often with friends, family neighbors?
- Has your spouse sought medical attention for any reason?
- Does your spouse have a job or go to school? If not, why not?
- If so, is your spouse a good worker?
- Does your spouse frequently miss work? How often?
- Does your spouse do a good job at home?
- Have you ever caught your spouse flirting or do you think your spouse is having an affair?
- Who handles the household money?
- Who handles the bank books, birth certificates, passports?
- Do you have to force your spouse to have sex?
- Is your spouse always saying that she/he is tired, sick, or sleepy?
- Have you ever had to put your spouse in her/his place?
- Has your spouse ever tried to walk out on you?
- Do you or your spouse have access to weapons?
- Is substance abuse an issue in your home?

Zealous and Ethical Representation of Batterer*

(My client is a Batterer. What do I do?)

Checklist

- Express empathy for the difficulties experienced by the batterer
- Protect my client's interests
- Confront the batterer with reality
- Inform the batterer of the events that are likely to occur as the case proceeds
- Advise the batterer to stop the abuse
- Help the batterer seek treatment
- Tell the batterer the legal and financial consequences of the abusive conduct
- Obtain all relief possible
- Advise the batterer to remain silent about the allegations of violence
- Settle the case where possible
- Know the ethical rules and document your file
- Make certain you are emotionally prepared to represent a batterer

**The Impact of Domestic Violence on Your Legal Practice
The American Bar Association Commission on Domestic Violence.*

6. Sandra has begun work as an Assistant County Attorney doing juvenile delinquency work. She is the only woman assigned to a team with three other male attorneys. Her boss is also a male. The group functions as a tight knit unit and handles cases with violent content. The three men in her team use vulgar and offensive language that is often sexually explicit. For example, phrases like, "...that fucking dick defendant" and "_____ is a cunt" can be heard routinely. Though this language is not directed at Sandra, she feels extremely uncomfortable. Additionally, in the hallways and corridors of the courthouse, the judges seem to turn a deaf ear to the vulgar language that pervades the work environment. Sandra approaches her boss and expresses her feelings about the language used in the courthouse and her discomfort with it. He tells her, "... You knew what you were getting into when you took this job;...toughen up."

What should Sandra do?

Should Sandra grin and bear it because in this job market, would you rock the boat?

NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY

DR1-102 Misconduct

(a) A lawyer or firm shall not:

(b) Unlawfully discriminate in the practice of law, including hiring, promoting or otherwise determining conditions of employment, on the basis of age, race, creed, color, national origin, sex, disability, marital status, or sexual orientation.

CASELAW

Disciplinary Counsel v. Campbell, 623 N.E.2d 24 (Ohio 1993) (Judge received a one-year suspension as a lawyer for offensive sexual remarks and touching.)

7. Judge John Jones is a Supreme Court Judge. Jennifer Smith is a prosecutor in the same jurisdiction, but in local court. She has never argued before the judge and does not anticipate doing so. Jennifer has met Judge Jones at various social gatherings in the same legal community. While at a Bar Association function, she and the Judge began chatting and had a few drinks together. The sparks fly! The Judge asked Jennifer if he could see her again.....as soon as possible. Do Jennifer and/or Judge Jones have any ethical or legal barriers that may hinder this potential relationship?

Spin off #1:

Jennifer decides to begin seeing Judge Jones. Shortly thereafter, but prior to the commencement of a sexual relationship, Jennifer is appointed to the trial division prosecuting burglaries. She will now have to appear before Judge Jones. Do Jennifer and/or Judge Jones have any ethical or legal barriers hindering this on-going “non-sexual” relationship?

Spin off #2:

When Jennifer gets the promotion, she immediately ends her relationship with Judge Jones. He is distraught and angry. He begs her to reconsider her decision. How should Jennifer and Judge Jones handle this situation? Should the Judge, because of his feelings of anger, not allow Jennifer to appear before him? What if the relationship had ended amicably and the two merely remained close friends?

Spin off #3:

Jennifer and Judge Jones develop a passionate sexual relationship before she receives her promotion. Neither of them is willing to end the relationship. Once Jennifer gets the promotion, does she have any ethical barriers hindering this on-going sexual relationship?

ABA MODEL RULES OF PROFESSIONAL RESPONSIBILITY

Model Rule 1.8(i)

“A lawyer related to another lawyer as parent, child, sibling or spouse shall not represent a client in a representation directly adverse to a person who the lawyer knows is represented by the other lawyer except upon consent by the client after consultation regarding the relationship.”

CANONS OF THE ABA MODEL CODE OF PROFESSIONAL RESPONSIBILITY

Canon 9 of the ABA Model Code of Professional Responsibility

“A lawyer should avoid even the appearance of professional impropriety.”

CANONS OF THE MODEL CODE OF JUDICIAL CONDUCT

Canon 2 of the Model Code of Judicial Conduct

“A Judge shall avoid impropriety and the appearance of impropriety in all of the judge’s activities.”

Canon 2 (A) comment (1)

“A judge must expect to be the subject of constant public scrutiny. A judge must therefore accept restrictions on the judge’s conduct that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.”

Canon 2(A) comment (2)

“The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge’s ability to carry out judicial responsibilities with integrity, impartiality and competence is impaired.”

Cannon 3(E)(1)(a) – Disqualification

A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where:

- (a) the judge has a personal bias or prejudice concerning a party or a party's lawyer.

CASE LAW

Disciplinary Counsel v. Campbell, 623 N.E.2d 24 (Ohio 1993) (Judge received a one-year suspension as a lawyer for offensive sexual remarks and touching.)

8. Alexandra Kline hired Mr. Nick Jones to represent her in a real estate transaction in 1990, which was completed in 1991. Nick started dating Alexandra in 1995. Alexandra was involved in an auto accident in November of 1995 and sustained personal injuries. Nick and Alexandra stopped dating in January 1996. Alexandra would like Nick to represent her in her personal injury suit. Is Nick ethically allowed to do so? What if he didn't represent her and Nick's firm represents Alexandra. Can any conflict be imputed from Nick to Nick's firm? When does the attorney-client relationship exist?

- PROFESSIONAL CODE OF PROFESSIONAL RESPONSIBILITY
§ 1200.29-a (c) Sexual relations with clients.

(c) Subdivision (b) of this section shall not apply to sexual relations between lawyers and their spouses or to ongoing consensual sexual relationships that predate the initiation of the lawyer-client relationship.

CASELAW

- Horaist v. Doctor's Hospital of Opelousas, U.S. Court of Appeals, 5th Cir. Ruled July 11, 2001, No. 99-31121. "Prior sexual relationships do not give rise to the type of ethical violation that requires disqualification under the rules." Judge Jerry Smith. When the client waives any conflict, the conflict should not be imputed to the attorney's employer.
- Board of Overseers of the Bar v. Mangan Me., No. An—00153, 1/16/01. A woman client hired a male attorney in the 1980's; she dismissed him shortly thereafter. She retained him again the 1990's for a personal injury claim. The attorney agreed to represent the client, but did not enter into a formal fee agreement with her. He handled her medical expenses, but did

not give the client a final accounting for the payments he had made. She approached him again on another matter, and the attorney did not enter into a fee agreement or specify his expected compensation. Soon after that, a sexual relationship began. The woman and her husband separated after the husband found out about the affair. The attorney referred the woman to another lawyer in anticipation that he would be called as a witness in a domestic action. The attorney and the woman broke off relations, and she filed a complaint with the disciplinary authorities.

The Court held that the first attorney abused the attorney-client relationship by engaging in a sexual affair with his client that adversely affected his representation. A consideration by the court was whether an attorney-client relationship existed. The court held that it did exist because the client sought advice and assistance from the attorney, the assistance pertained to matters within the attorney's competence, and he undertook the task requested of him.

9. A male and a female lawyer with extremely comparable qualifications are being considered for a promotion to partner at a large law firm. Due to cut-backs, the firm is only able to promote one of the candidates to partner. The other candidate will remain as a senior associate. Which candidate will most likely get the promotion? On what facts do you base your conclusion?

Answer the following true / false questions

A. Women lawyers continue to earn approximately \$20,000 less per year than their male counterparts.

- TRUE.

B. Men are twice as likely to obtain partnerships as similarly qualified women.

- TRUE. A man's chance of becoming a partner in a law firm is 2 to 3 times higher than a woman's.

C. It is generally believed that the prospects for advancement are greater for men than for women.

- FALSE. While 25% of women lawyers polled believed that advancement opportunities were greater for men than for women, only 3% of the men polled believed this was true.

D. It is silly to put a lot of time and effort into mentoring a female attorney, because the chances are that she'll just leave the profession.

- FALSE. Women who are not supported and find that they are often overlooked for promotions or highly visible assignments are more likely

to leave the profession. Fewer women in senior positions also help perpetuate the problem. However, women are not significantly more likely to leave legal practice than men. When they do leave, they generally move to positions with greater flexibility.

E. Most law firms allow flexible part-time schedules.

- TRUE---BUT While 90% of surveyed law firms allow flexible schedules, only 3-4% of them actually use them. Women polled believed that the decrease in hours would impact negatively on their advancement opportunities.
- A decreased working schedule does not mean decreased professional commitment. It takes "exceptional dedication for a woman to juggle competing work and family responsibilities in unsupportive working environments."
- A firm will actually save money by being flexible, e.g., in decreased absenteeism; attrition; and recruitment and training costs.

F. Most female lawyers feel that sexual harassment is a problem in their workplace.

- TRUE. 3/4 of the women lawyers surveyed thought that sexual harassment was a problem in their workplaces.
- While practically all firms have sexual harassment policies, there is a discrepancy between the policy and what is practiced. One half to 2/3 of the female lawyers report either experiencing or observing sexual harassment.

G. The ABA Model Code of Judicial Conduct and Model Rules of Professional Conduct include prohibitions on bias.

- TRUE. But bias commissions still find problems regarding gender, race, ethnicity, disability, and sexual orientation.
- Women account for only 15% of federal judges, 10% of law school deans, and general counsels, and 5% of managing partners of large law firms.
- Men may also be the targets of gender-based discrimination, e.g., concerning child care issues.

Fact of life: Female attorneys still are asked if they are attorneys while in the courtroom much more often than their male counterparts.

❖ **“Gender inequalities in the legal profession are pervasive; perceptions of inequality are not.”** ABA/BNA Lawyers’ Manual on Professional Conduct (Vol. 17. No. 10) 2000.

Information and statistics for the above T/F questions came from material in: **“The Unfinished Agenda: Women and the Legal Profession”**

<http://www.abanet.org/ftp/pub/womens/unfinishedagenda.pdf>

10. Fred Stone is representing a client in a jury trial. Fred's opposing counsel, Wilma Flint, has been coming to court dressed in attire that is very provocative and revealing. This morning, Ms. Flint wore a very short mini skirt, seamed stockings, spiked heeled boots, and a very low cut top. Fred is made uncomfortable by this and wonders about the effect it will have on the jury. He is unsure whether he should say something to the attorney, to the judge, or say nothing at all. What are the ethical considerations in Fred's possible responses to the situation?

- NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY

- § 700.2 Importance of decorum in court.

The courtroom, as the place where justice is dispensed, must at all times satisfy the appearance as well as the reality of fairness and equal treatment.

Dignity, order and decorum are indispensable to the proper administration of justice. Disruptive conduct by any person while the court is in session is forbidden.

- § 700.3 Disruptive conduct defined.

Disruptive conduct is any intentional conduct by any person in the courtroom that substantially interferes with the dignity, order and decorum of judicial proceedings.

- §700.4 (a) Obligations of the attorney

The attorney is both an officer of the court and an advocate. It is his professional obligation to conduct his case courageously, vigorously, and with all the skill and knowledge he possesses. It is also his obligation to uphold the honor and maintain the dignity of the profession. He must avoid

disorder or disruption in the courtroom and he must maintain a respectful attitude toward the court. In all respects the attorney is bound, in court and out, by the provisions of the code of professional responsibility.

§ 700.5 (d) Obligations of the judge

Where the judge deems it appropriate in order to preserve or enhance the dignity, order and decorum of the proceedings, he shall prescribe and make known the rules relating to conduct which the parties, attorneys, witnesses and others will be expected to follow in the courtroom.

§ 1200.37 (c)(6) [DR 7-106] Trial conduct

(c) In appearing as a lawyer before a tribunal, a lawyer shall not:

(6) engage in undignified or discourteous conduct which is degrading to a tribunal.

- STANDARDS OF CIVILITY Part 1200, appendix A

Lawyers' Duties to the Court and Court Personnel

I. A lawyer is both an officer of the court and an advocate. As such, the lawyer should always strive to uphold the honor and dignity of the profession, avoid disorder and disruption in the courtroom, and maintain a respectful attitude toward the court.

- Remarking on the attractiveness or attire of a female attorney may be a form of gender bias. Remarking on appearance or attire while the attorney is in the courtroom is totally unacceptable, as this may alter perceptions of her by the jury, opposing counsel, or the judge, which might impact on her effectiveness.

SPIN OFF:

You comment to the trial judge at a break in a non-jury trial how unusual it used to be to see a trial attorney litigating in the last weeks of her pregnancy. What are the ethical implications of such a statement?

- This is a gender-based response. It is inappropriate to comment on physical appearance. This will draw additional attention to the attorney's gender, as opposed to the reason that attorney is in court. Comments that may be appropriate in a social setting may be completely inappropriate in a working environment. Comments referring to the appearance or pregnancy of a female attorney may undermine how she is perceived.

See Matter of Thomas C. Monaghan, Esq., New York Law Journal, p. 7, April 30, 2001. The Court publicly censured respondent for "race-based abuse" for drawing attention to his adversary's race by commenting on her pronunciation of two words at a deposition.

These training materials were authored by Sherry Bishko, PeggyAnne Cooke, Joanne Indriolo, and Jeff Peske. I would like to thank them and their Professional Responsibility Professor at Pace Law School, Jay Carlisle, for their support of this program.

Vicki Lutz

Nassau County Judicial Committee on Women in the Courts

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County Court Judge
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Hempstead, NY 11550

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Chair Emeritus
District Court Judge
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LOCAL COMMITTEES 2001-2002

Name of the Committee Nassau County Judicial Committee on Women in the Courts

Name, Address and Telephone and Fax Numbers and E-Mail Address of the Chair _____

Hon. Claire I. Weinberg, 99 Main Street, Hempstead, New York 11550

516-572-2111 Fax 516-572-2555

e-mail: cweinber@courts.state.ny.us

Meeting Dates in the Past Year March 29, 2001, May 10, 2001, February 27, 2002

Activities for Domestic Violence Awareness Month 2001 _____

Ceremonial Opening and Dedication of Domestic Violence Court

“Breaking the Cycle”–A forum on Domestic Violence–(Program Attached). It was an excellent program–very informative and very well received.

Activities for Women’s History Month 2002 _____

On March 21, 2002 Judge Ann Phau will be our honoree and keynote speaker.

Other Activities in the Past Year _____

On March 29, 2001 we honored 2 women jurists who were pioneers. (Copy of program attached.)

Plans for Next Year (2003) A written history of the progress of women in the Nassau
County Court System.

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by March 31, 2002, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004

**NASSAU COUNTY JUDICIAL COMMITTEE
ON WOMEN IN THE COURTS**

**Celebrate Women's History Month
By Honoring Two Judicial Pioneers**

**Hon. Elizabeth Bass Golding
Hon. Beatrice S. Burstein**

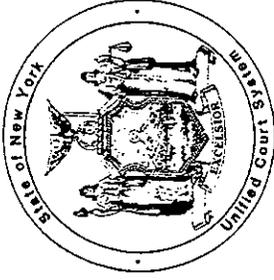
**Hon. Edward G. McCabe
Administrative Judge of Nassau County**

**Nassau County Supreme Court
Thursday, March 29, 2001
12:30 P.M.**

**Presiding Justice
Hon. Edward G. McCabe**

Welcome:	Hon. Claire I. Weinberg Chair Judge of the County Court
Remarks:	Hon. Edward G. McCabe Administrative Judge Nassau County
Remarks:	Alice M. Chapman Honorary Chair Director Workforce Diversity Unified Court System
Remarks:	M. Kathryn Meng, Esq. President, Nassau County Bar Association
Tribute to Hon. Elizabeth Bass Golding:	Hon. Edwin J. Loewy Judicial Hearing Officer
Tribute to Hon. Beatrice S. Burstein:	Hon. Pauline Balkin Judge of the Family Court, ret.
Closing Remarks:	Hon. Denise L. Sher Chair Emeritus

NASSAU COUNTY DOMESTIC VIOLENCE COURT



CEREMONIAL OPENING

**WEDNESDAY OCTOBER 10, 2001
12:30 P.M.
CALENDAR CONTROL PART
SUPREME COURT NASSAU COUNTY**

WELCOME and INTRODUCTORY REMARKS

**HON. EDWARD G. McCABE
ADMINISTRATIVE JUDGE
NASSAU COUNTY**

**HON. DENIS DILLON
DISTRICT ATTORNEY
NASSAU COUNTY**

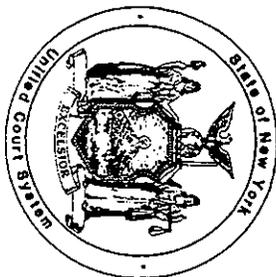
DEDICATION OF DOMESTIC VIOLENCE COURT

**HON. EDWARD G. McCABE
ADMINISTRATIVE JUDGE
NASSAU COUNTY**

**HON. CLAIRE I. WEINBERG
PRESIDING JUDGE
DOMESTIC VIOLENCE COURT
NASSAU COUNTY**

**NASSAU COUNTY JUDICIAL COMMITTEE ON
WOMEN IN THE COURTS**

**DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2001**



**“BREAKING THE CYCLE”
A FORUM EXPLORING DOMESTIC VIOLENCE**

HON. EDWARD G. McCABE
Administrative Judge Nassau County
Ex Officio Member

CHAIR:

HON. CLAIRE I. WEINBERG
County Court Judge - Nassau County
Presiding Judge - Domestic Violence Part

CHAIR EMERITUS:

HON. DENISE I. SHER
President of the Board of Judges
and District Court Judge
Nassau County

HONORARY CHAIR:

ALICE M. CHAPMAN
Deputy Director of Human Resources
Equal Employment Opportunity Division
Unified Court System

HON. CLAIRE I. WEINBERG Introduction
County Court Judge - Nassau County
Presiding Judge - Domestic Violence Court
Nassau County

Name Withheld Victim 29

HON. FERN A. FISHER-BRANDYVEEN Child Survivor
Administrative Judge - New York City Civil Court
New York County Branch

DEBRA BLERSCH, CSW Batterers Intervention
SAGE Program Coordinator
Family & Children's Association

JOHN J. CARWAY, CSW Probation Department
Director of Probation
Nassau County

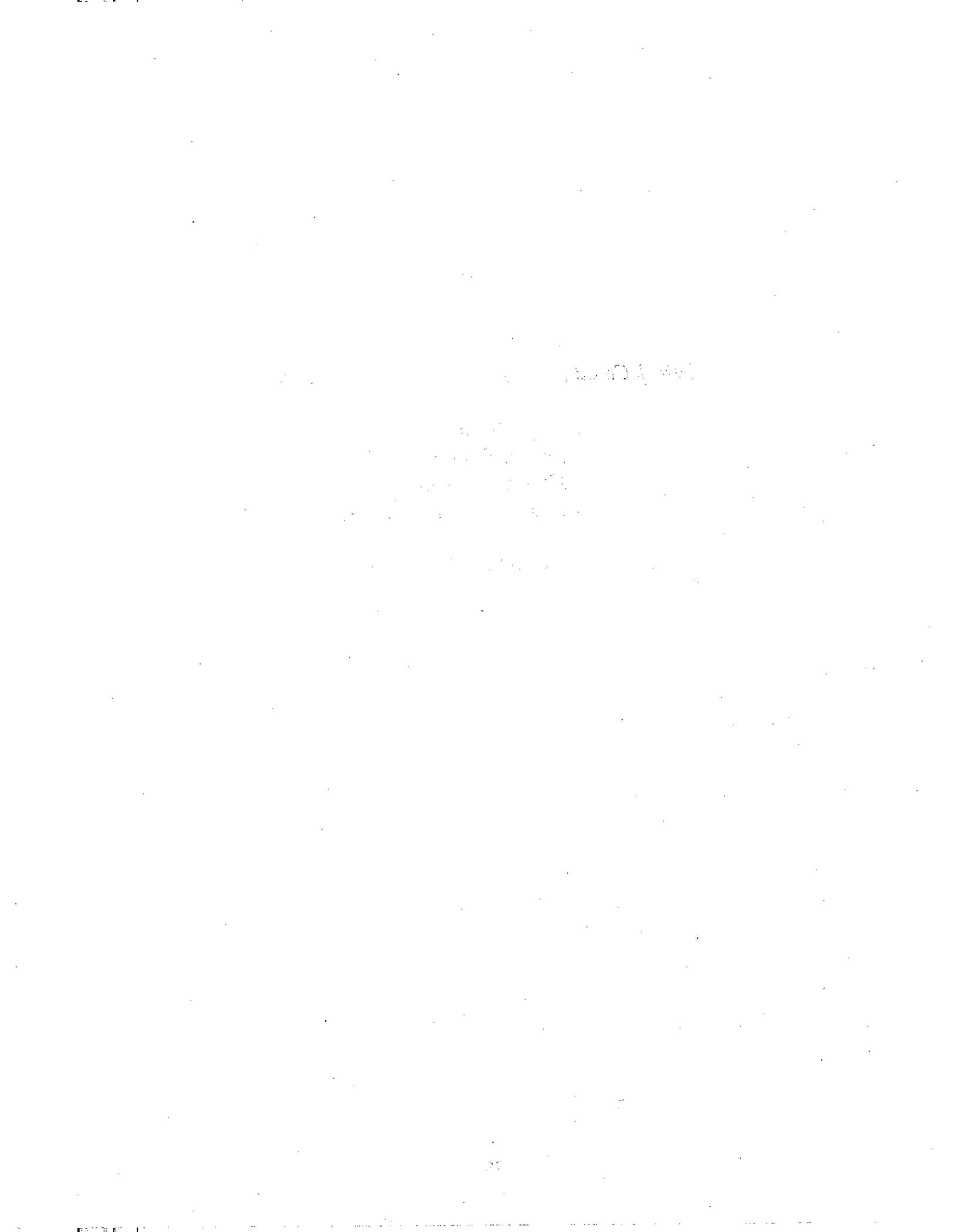
JOAN SCULLI, CSW Nassau County Coalition
Director - Education & Community Services
Against Domestic Violence

HON. IRA H. WEXNER Closing Remarks
Supreme Court Justice - Nassau County
Supervising Judge - County & District Courts

Suffolk County Women in the Courts Committee

Cheryl Zimmer, Esq.
c/o Justice H. Patrick Leis
400 Carelton Ave.
Central Islip, NY 11722

631- 853-7735





SUFFOLK COUNTY WOMEN in the COURTS

2001-2002 ANNUAL REPORT

Name & Address of Chair:

Cheryl M. Zimmer

Supreme Court

PO Box 9070

Central Islip, NY 11722

E-mail: CZIMMER@courts.state.ny.us

Telephone: 631-853-6091 Fax: 631 852-3289

Meetings in the Past Year: April 17, 2002; May 21, 2001; June 18, 2001; September 17, 2001; November 11, 2001; December 7, 2001; January 10, 2002; February 14, 2002; March 18, 2002

Activities for Domestic Violence Awareness Month 2001:

Domestic Violence Awareness Day for the Suffolk County Courts was held on Friday October 26, 2001 in Central Islip and on October 29, 2001 in Riverhead. All court employees were invited to informally pick up literature on Domestic Violence, batterers' intervention programs and available community services for victims.

Report of the Roundtable on Domestic Violence and Underserved Populations, a community outreach initiative that took place in October of 2000. The Roundtable was a collaboration of the Suffolk County Women in the Courts Committee, Suffolk County Executive's Task Force on Family Violence and the Suffolk County Bar Association. At the forum, approximately sixty community partners focused on connecting victims with available services, increasing domestic violence incident reporting and exploring solutions to unmet needs. The Report delineates the recommendations of the Roundtable participants.

Clergy Observation Day in the Domestic Violence Court. On November 15, 2001, our committee in cooperation with the Suffolk County Executive's Family Violence Task Force sponsored a program for the local clergy wherein they had an opportunity to gain valuable insight and first hand information for their congregations on the workings of the Domestic Violence Court. The participants observed court proceedings and also heard presentations from the presiding judge of the part, Joseph Santorelli, the Coordinator of the DV Court as well as representatives from the District Attorney's office, the Legal Aid Society and a victim's advocacy agency.

Activities for Women's History Month 2002:

Celebration: On March 18, 2002, the Honorable Alan D. Oshrin, District Administrative Judge, and the Suffolk County Women in the Courts Committee sponsored a celebration in honor of National Women's History Month. The Honorable Juanita Bing Newton, the New York State Deputy Administrative Judge for Justice Initiatives was the keynote speaker. The honorees were Suffolk County's Women Chief Clerks, Grace Campbell of the Family Court, and Eileen O'Rourke and Linda Weaver of the County Court. The honorees are role models and an example of the wonderful advancement and career opportunities available in the Court System.

Pictorial Exhibit: In commemoration of Women's History Month, the Suffolk County Women in the Courts Committee also sponsored a Pictorial Display of women Chief Clerks and current and former women Judges who have served on the bench in Suffolk County. The exhibit celebrated the accomplishments of the hardworking and dedicated women chief clerks and judges who currently and in the past have worked in the Suffolk County Courts .

Pamphlet: The committee printed a colorful pamphlet honoring the accomplishments of Suffolk County's first women Chief Clerks

Other Activities in the Past Year:

Breast Cancer Awareness Month: In October of 2002, our committee in cooperation with the Suffolk County Women' Bar Association and Suffolk County Women's Services sponsored a Mammography Screening for uninsured and under insured women on October 18, 2001 in Riverhead.

Project Assist In the Cohalan Court Complex in Central Islip and in the Family Court Parts in Riverhead and in Central Islip, the committee continued its project of "informational display racks" containing pamphlets and brochures on a panoply of community services available in Suffolk County.

Plans for Next Year:

Domestic Violence The Committee is continuing its ongoing liaison with the Suffolk County Executive's Task Force on Family Violence to reach out to the community to educate and to inform of the services that the courts provide in the area of Domestic Violence.

Breast Cancer Awareness Event will be held in October for Breast Cancer Awareness Month.

Literacy Project The committee in cooperation with the Advisory Council to the Children's Center will participate in an initiative to supply new books to each child that attends the Courts' Child Care Centers in Suffolk.

Child Care Center for Court Employees Members of our committee sit on the planning committee for a new child care center that will be opening on the site of the Federal Court Complex in Central Islip and which will be open to our court employees. The center will open in the Summer of 2002.



State of New York
UNIFIED COURT SYSTEM
SUFFOLK COUNTY
400 Carleton Avenue
P.O. Box 9080
Central Islip, New York 11722-9080
(631) 853-7742

JONATHAN LIPPMAN
Chief Administrative Judge

A. GAIL PRUDENTI
District Administrative Judge
Suffolk County

JOSEPH J. TRAFICANTI, JR.
Deputy Chief Administrative Judge
Courts Outside New York City

EUGENE W. MYERS
Executive Assistant

MEMORANDUM

TO: Chief Clerks
Commissioner of Jurors
Principal Law Librarian

FROM: Eugene W. Myers *EM*
Executive Assistant

RE: DOMESTIC VIOLENCE AWARENESS DAY

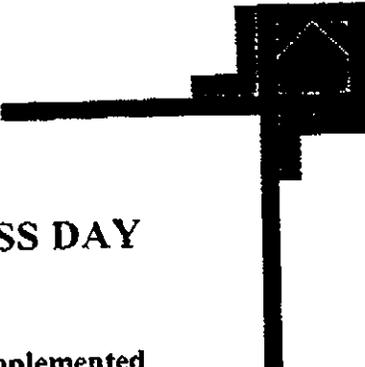
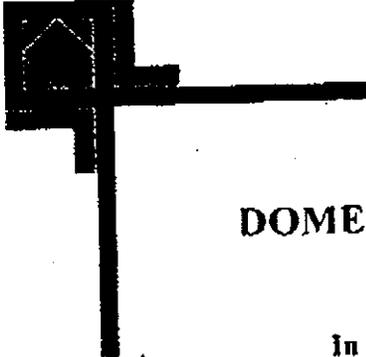
DATE: October 23, 2001

Attached are announcements of Domestic Violence Awareness Day for the Suffolk County Courts, being observed this year on Friday, October 26, in Central Islip and Monday, October 29, in Riverhead.

Please distribute a copy to all employees with the October 24th paychecks and post on all bulletin boards in your court or agency.

Thank you for your cooperation.

cc: Hon. A. Gail Prudenti
Isabel Buse
✓ Cheryl Zimmer
Patricia Herlihy



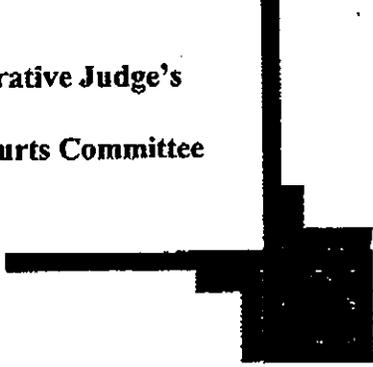
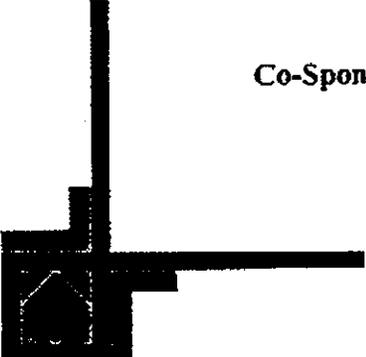
DOMESTIC VIOLENCE AWARENESS DAY for the Suffolk County Courts

In August 2000, Chief Justice Judith Kaye implemented a Domestic Violence Policy for the Unified Court System. The intent of the policy was to set appropriate measures for helping victims and dealing with perpetrators in the context of our workplace. If you have questions about the Suffolk County Court System's implementation of the Domestic Violence Policy, you may contact the supervisor of your department. If you want free, confidential counseling, you may phone Corporate Counseling Associates, the provider of the Work/Life Assistance Program, at 1-800-833-8707.

Domestic Violence in the workplace encompasses behavior which occurs on and off the work site. Any behavior which interferes with the employee's safety and security to perform his or her duties at work is Domestic Violence in the workplace. It includes conduct ranging from harassing and repeated phone calls or e-mail to unarmed and armed show-ups to physical injury. Domestic Violence in the workplace also includes conduct outside the workplace such as sleep deprivation and physical injury or threats which impede the ability of the employee to perform his or her job.

If you would like to receive information on Domestic Violence programs or the community services for victims, you are invited to pick up literature on Friday, October 26, from 8:30 to 9:30 a.m. in the District Court Conference Room in Central Islip or on Monday, October 29, from 3:00 to 4:00 p.m. in the County Court Employee Conference Room in Riverhead. Refreshments will be served at both Central Islip and Riverhead.

**Co-Sponsored by: Suffolk County District Administrative Judge's
Outreach Initiatives
Suffolk County Women in the Courts Committee**



DOMESTIC VIOLENCE COURT CLERGY OBSERVATION DAY

On November 15, 2001, the Suffolk County Women in the Courts Committee in cooperation with the Suffolk County Executive's Family Violence Task Force sponsored a program for local Clergy in the Domestic Violence Court. The Clergy had an opportunity to gain valuable insight and first hand information for their congregations on the workings of the Domestic Violence Court. A continental breakfast was served.

Our newly appointed Administrative Judge, Alan Oshrin, was on hand to greet the participants. Judge Madeline Fitzgibbon, Supervising Judge of the District Court welcomed the group and gave an overview of the history of the Domestic Violence Court which opened in September of 2000. The participants spent the morning observing Judge Joseph Santorelli, the presiding judge of the Domestic Violence Court and Acting County Court Judge, at work. Judge Santorelli shared his views on the multi disciplinary approach to coordination of criminal domestic violence cases.

Victoria McDonough, CSW, Coordinator of the Domestic Violence Court provided information on treatment programs victims and batterers. Kerri Herzog, Esq., Attorney-in-Charge, Domestic Violence Unit, Suffolk County District Attorney's office, Michael Giambone, Esq. of the Legal Aid Society and Liz, a victim's advocate from V.I.B.S. (Victims Information Bureau), shared their perspectives on the workings of the Court. The Honorable Hertha Trotto, District Court Judge assigned to oversee the defendant's compliance with court orders and Daniel Hickey and William Jones, Commissioner and Deputy Commissioner of the Suffolk County Department of Social Services, joined the Clergy for the program.

The participants commented that the program was excellent and that they received valuable information and written materials that they will utilize in their ministry and share with their congregants. They have asked for further opportunities in the future to observe various judges and court personnel in action.

DOMESTICE VIOLENCE - CLERGY OBSERVATION DAY

On November 15, 2001, the Suffolk County Women in the Courts Committee, in cooperation with the Suffolk County Executive's Family Violence Task Force, sponsored a program for local clergy in the Domestic Violence Court. The clergy had an opportunity to gain valuable insight and first hand information for their congregations on the workings of the Domestic Violence Court. A continental breakfast was served.



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By: Cheryl Zimmer



October is.....

Breast Cancer Awareness Month

MAMMOGRAPHY SCREENING

for those who are
uninsured or underinsured

October 18, 2001

Riverhead Criminal Court Building

For appointment and information call

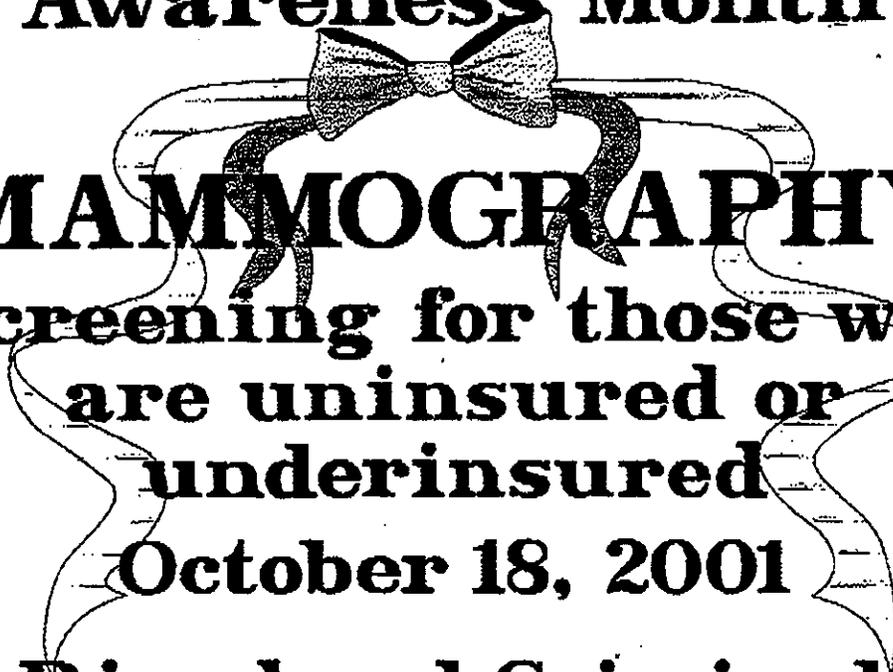
853-8220

Suffolk County Breast Health Partnership

Sponsored by:

Suffolk County Women in the Courts Committee
Suffolk County Women's Bar Association
Suffolk County Women's Services

**October is....
Breast Cancer
Awareness Month**



MAMMOGRAPHY
screening for those who
are uninsured or
underinsured

October 18, 2001

**Riverhead Criminal
Court**

Call 853-8220

**Suffolk County Breast Health
Partnership
for appointment and information**

sponsored by:

**Suffolk County Women in the Courts Committee
Suffolk County Women's Bar Association
Suffolk County Women's Services**

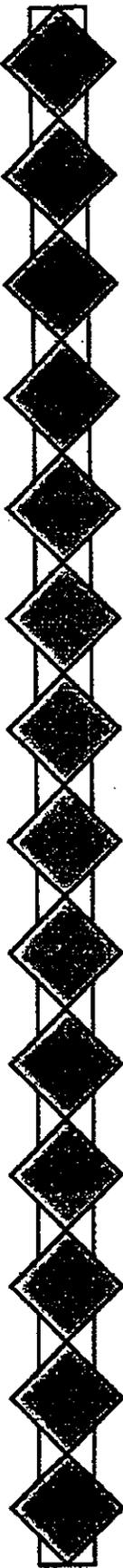
HONORABLE A. GAIL PRUDENTI

Associate Justice

Appellate Division, Second Department

cordially invites local Clergy members to observe
Suffolk County's Domestic Violence Court
Honorable Joseph Santorelli presiding

November 15, 2001
from 8:30 a.m. to 12:00 p.m.



You will have the opportunity to gain valuable insight and information for your congregations. The Domestic Violence Court hears misdemeanor cases involving violent acts between cohabitants, people related by blood, marriage and those who have children in common. In addition, victim's advocates, representatives from the Suffolk County District Attorney's office and the Legal Aid Society will be available to speak with you.

A continental breakfast will be served.

The Domestic Violence Court is located at

District Court Building,

Cohalan Court Complex

400 Carleton Avenue, Central Islip, New York

RSVP to Elizabeth Mahoney by November 9, 2001 at 853-6091. Please bring this invitation and a photo identification with you.

Sponsored by

The Suffolk County Women in the Courts Committee in cooperation with the Suffolk County Executive's Family Violence Task Force

Suffolk County Women in the Courts Committee

Please join us for our

ANNUAL HOLIDAY LUNCHEON

on December 7, 2001 at 12:30 p.m.

at Café La Strada

*located at
352 Wheeler Road
Hauppauge, New York*

\$25.00 per person

If you wish, please bring a new pair of children's mittens, hat or scarf for the "Mitten Tree" located in the District/Family Court Children's Center

RSVP to Elizabeth Mahoney at 853-6092 by December 5, 2001



Honorable Alan D. Oshrin
and the
Suffolk County Women in the Courts Committee

cordially invite you to a celebration

National Women's History Month

Honorary Speaker
Honorable Juanita Bing Newton
Deputy Administrative Judge for Justice Initiatives

Honorees
Suffolk County's Women Chief Clerks

Grace Campbell Family Court
Eileen O'Rourke County Court
Linda Weaver County Court

March 18, 2002 at 3:00 p.m.

Central Jury Room
Second Floor, Cohalan Court Complex

View the Pictorial Exhibition of the
Honorees and the Suffolk County Women Judges

RSVP Marilou Terracciano at 853-5368 by March 13, 2002



Refreshments will be served



WOMEN'S HISTORY MONTH CELEBRATION

MARCH 18, 2002

AGENDA

1. **Presentation of the Colors, Honor Guard**
2. **Pledge of Allegiance**
3. **Star Spangled Banner- Denise Podlewski, Supreme Court Calendar Department**
4. **Welcome Honorable Alan D. Oshrin, District Administrative Judge**
5. **Introduction of Honorees Cheryl Zimmer, Esq., Chair, Women in the Courts Committee**
6. **Honorary Speaker: Honorable Juanita Bing Newton, New York State Deputy Administrative Judge for Justice Initiatives**
7. **Closing remarks Alan D. Oshrin**
8. **America the Beautiful- Denise Podlewski**

Please join us for refreshments

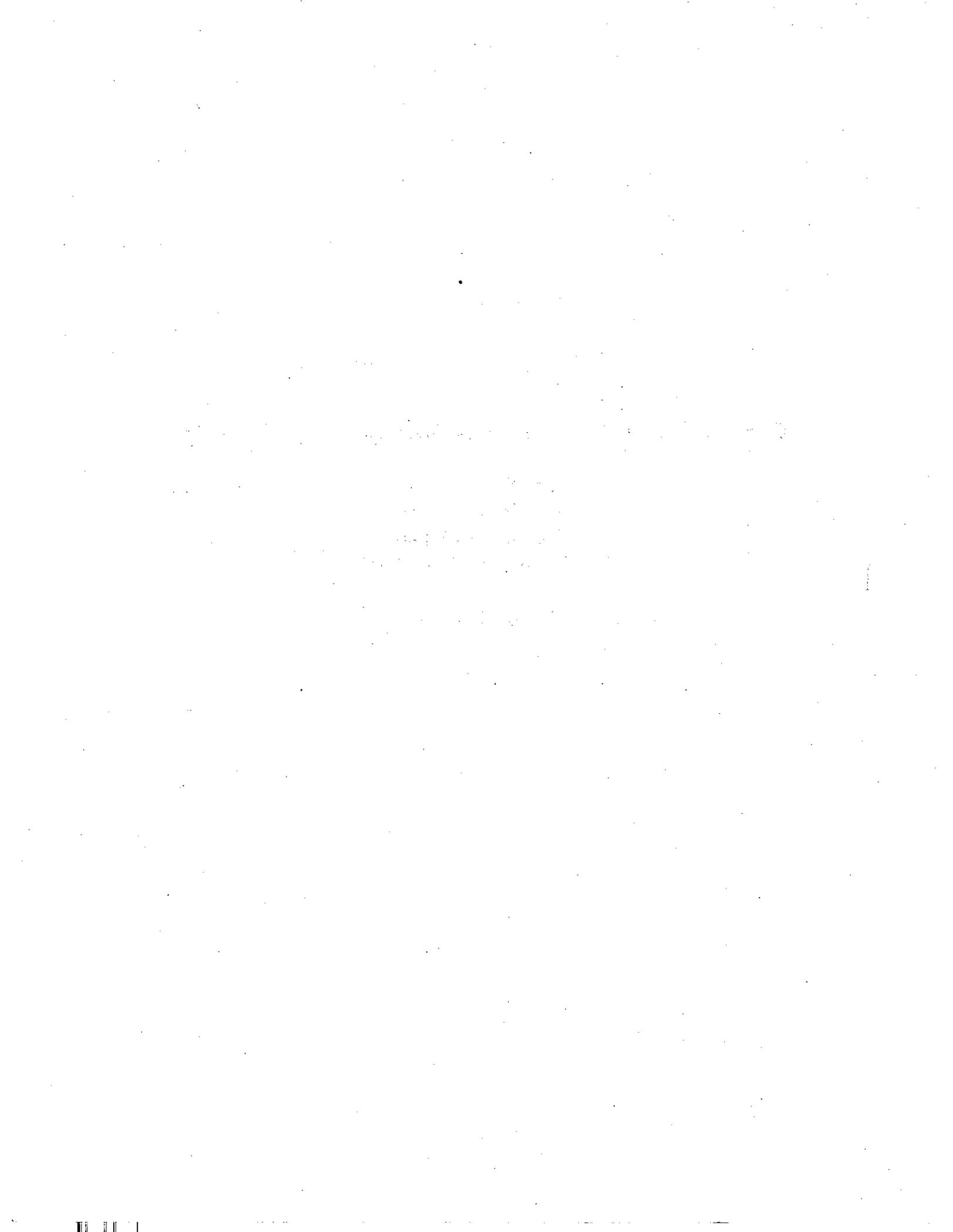


SUFFOLK COUNTY WOMEN IN THE COURTS COMMITTEE

Gender Bias Committee of the Family Courts of the City of New York

Hon. Nora Freeman
NYC Family Court
283 Adams Street
Brooklyn, New York 11201

718-643-4017



LOCAL COMMITTEES 2001-2002

Name of the Committee:

Gender Fairness Committees in NYC Family Courts.

Name, Address, Telephone and Fax Numbers and E-Mail Address of the Chair:

Leslie Friedland, Esq. - Manhattan Family Court, 60 Lafayette St., Tel# (212) 608-7240, Fax (212)-374-2623

Christine Gartner, Esq.- Queens Family Court, 89-14 Parsons Blvd, Tel# (718)-520-3972, Fax (718)-520-5085

Sue B. Levy, Esq. - Bronx Family Court, 900 Sheridan Avenue, Tel# (718)590-3301, Fax (718) 590-7305

Hon. Nora Freeman - Brooklyn Family Court, 283 Adams St., Tel# (718) -643-7789, Fax (718)643-5103

Meeting Dates in the Past Year:

City-wide meetings 3 times a year, with each county meeting on its own schedule.

Activities for Domestic Violence Awareness Month 2001:

Manhattan - Angela Lee of New York Asian Women's Center & Karen Lomax of "My Sister's Place" - skits - highlighting cultural barriers to successful prosecution of domestic violence cases and helping women to gain access to needed services.

Bronx - In Association with Criminal Court - presentations regarding the different procedures of the two courts.

Brooklyn - Speakers from the D.A.'s office and ACS addressing options involving domestic violence and older teens - family offenses petitions, PINS proceedings, Criminal Court.

Queens - Speakers from P.E.A.C.E. program and local hospital discussed ways in which levels of hostility could be addressed.

Activities for Women's History Month 2002:

None

Other Activities in the Past Year:

"Bring Our Children to Work Day", Fundraising breakfasts in Manhattan and Bronx, Manhattan's World Trade Center Memorial Program.

Plans for Next Year:

Expanding fundraising, sharing resources (such as Brooklyn's "My Voice Theater"), planning programs for Women's History Month.

**KINGS COUNTY FAMILY COURT
GENDER FAIRNESS COMMITTEE
PROUDLY PRESENTS**



**BRING OUR CHILDREN
TO WORK DAY**

THURSDAY APRIL 26TH, 2001

9AM TO 1 PM

**CHILDREN OF ALL COURTHOUSE PERSONNEL
INVITED.....AGES 7 AND UP**

**PROGRAM WILL INCLUDE: BREAKFAST, TOURS, STORYTELLING, WORK
DESCRIPTIONS , DEMONSTRATIONS AND A MOCK TRIAL**

PLEASE REGISTER IN ADVANCE...BEFORE APRIL 12TH

RETURN THE COMPLETED FORM TO: ANGELA GAMMONE ...ROOM 414

RENA GOTTFRIED... 6TH FLOOR

NOEL CARROLL...ROOM 318

REGISTRATION FORM- ONE FORM PER CHILD

CHILD'S NAME _____

CHILD'S ADDRESS _____

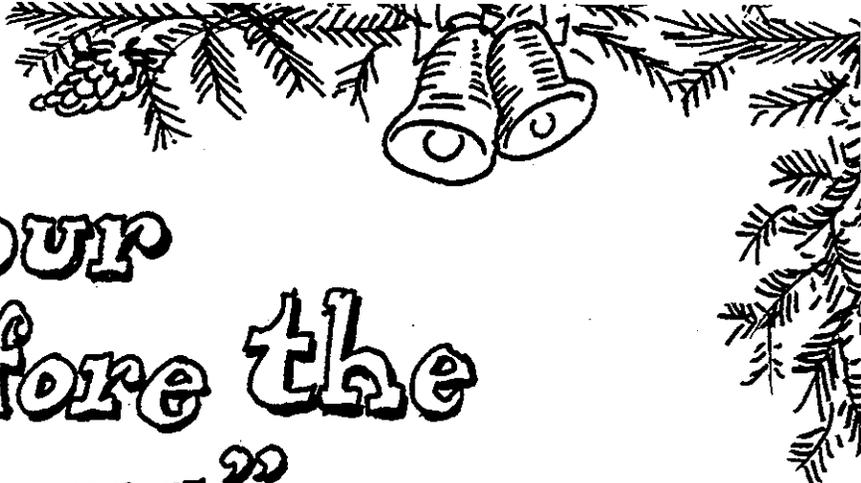
AGE _____ GRADE _____ SCHOOL _____

PARENT'S NAME _____ HOME PHONE _____

COURTHOUSE DEPT. _____ ROOM _____ PHONE _____

IN CASE OF EMERGENCY, PLEASE CONTACT: _____

REGISTRATION DEADLINE¹⁴⁴-----APRIL 12TH



Come to our "Calm Before the Holidays" Breakfast



Thursday, December 6, 2001 @ 9:00 AM

10th Floor Library / 60 Lafayette Street

Coffee, Tea, Juice, Bagels, Fruit, Pastries and
Charming Conversation.

\$3⁰⁰ donation (by Friday, Nov. 30th, please.)

For details, see Beverly - 5th Fl. Dep. Clerk's Office

toys

PRESENTED BY THE GENDER FAIRNESS COMMITTEE...
SPONSOR OF SPRING'S "TAKE YOUR CHILD TO WORK" DAY
AND THIS FALL'S DOMESTIC VIOLENCE PRESENTATION.

Gender Bias Committee, New York County, Supreme Court, Criminal Term

Hon. Arlene Goldberg
Acting Justice, Supreme Court
100 Centre Street, Room 412
New York, New York 10013

212-748-5100



The GENDER BIAS COMMITTEES of the New York
County Supreme and Criminal Court Presents:

ORDERS OF PROTECTION

Shields or Swords?

Considerations and Discussion with a Panel of Experts

WEDNESDAY, MARCH 20, 2002

1:00 - 2:15 P.M.

PART HP1, ROOM 535

100 CENTRE STREET

All Judicial and Non-Judicial Personnel are Invited to Attend.

(Light refreshments will be served)

ORDERS OF PROTECTION

Relevant statutes:

CPL 530.12 - orders for victims of family offenses

CPL 530.13 - non-family orders

Temporary non-family orders may issue for good cause shown. (CPL 530.13 [1].) See, People v. Hayday, 144 AD2d 207, 208 [3d Dept 1988] appeal denied 73 NY2d 892 (grand jury evidence provides good cause).

Temporary family and non-family orders may be issued *ex parte* for good cause shown. (CPL 530.12(3), 530.13(2)(3).

No good cause shown language in statute authorizing non-ex parte temporary and final family orders.

Imposition of a stay away condition in family temporary or final orders requires a determination by the court, based on consideration of, but not limited to, whether the order is likely to achieve its purpose in the absence of such a condition, conduct subject to prior orders of protection, prior incidents of abuse, past or present injury, threats, drug or alcohol abuse and access to weapons. The determination shall be stated in a written decision or on the record, however, the failure to make such a determination does not affect the validity of the order. (See CPL 530.12 [1][a], [5][a].)

Defendant must be informed either orally or in writing of the contents of the order and the conduct it prohibits. Not enough to say that an order has been issued. People v. McGowan, 85 NY2d 985 (1995).

Due process concerns - hearings re: issuance and terms of TOPs

See People v. Forman, 145 Misc 2d 115 (Crim Ct NY County 1989)

People v. Koertge 183 Misc 2d 183 (District Court Nassau County 1998)

People v. Meggie 184 Misc 2d 883 (District Court Nassau County 2000)

People v. Faieta 109 Misc 2d 841 (District Court Nassau County 1981)

Duration of orders of protection

Temporary Orders are only effective while case is pending as condition of release, bail or ACD. The TOP becomes a nullity upon acquittal or sentence (see People v. Bleau, 276 AD2d 131 [3d Dept 2001], or on dismissal of charge by grand jury (see People v. Lewis, 184 Misc 2d 399 [County Court, Monroe County 2000])).

In People v. Bleau, supra, defendant's conviction for contempt arising out of acts committed on September 2, 1998 in violation of a temporary order of protection that was set to expire in October 1998 reversed because TOP became a nullity when the case was disposed of on August 11, 1998 and court had failed to issue an order upon the conviction pursuant to CPL 530.13(4).

In response to Bleau, CPL 530.12[5] and 530.13[4] were amended to provide that upon a defendant's conviction the court is required to state on the record the reasons for issuing or not issuing a final order of protection where a temporary order had been issued in the matter.

Final orders (family and non-family) See, CPL 530.12 (5), 530.13(4).

felony conviction cases - duration the greater of 5 years from the date of the conviction or 3 years from the date of the expiration of the maximum term of an indeterminate or the term of a determinate sentence of imprisonment.

Class A misdemeanor convictions - not to exceed 3 years from the date of such conviction.

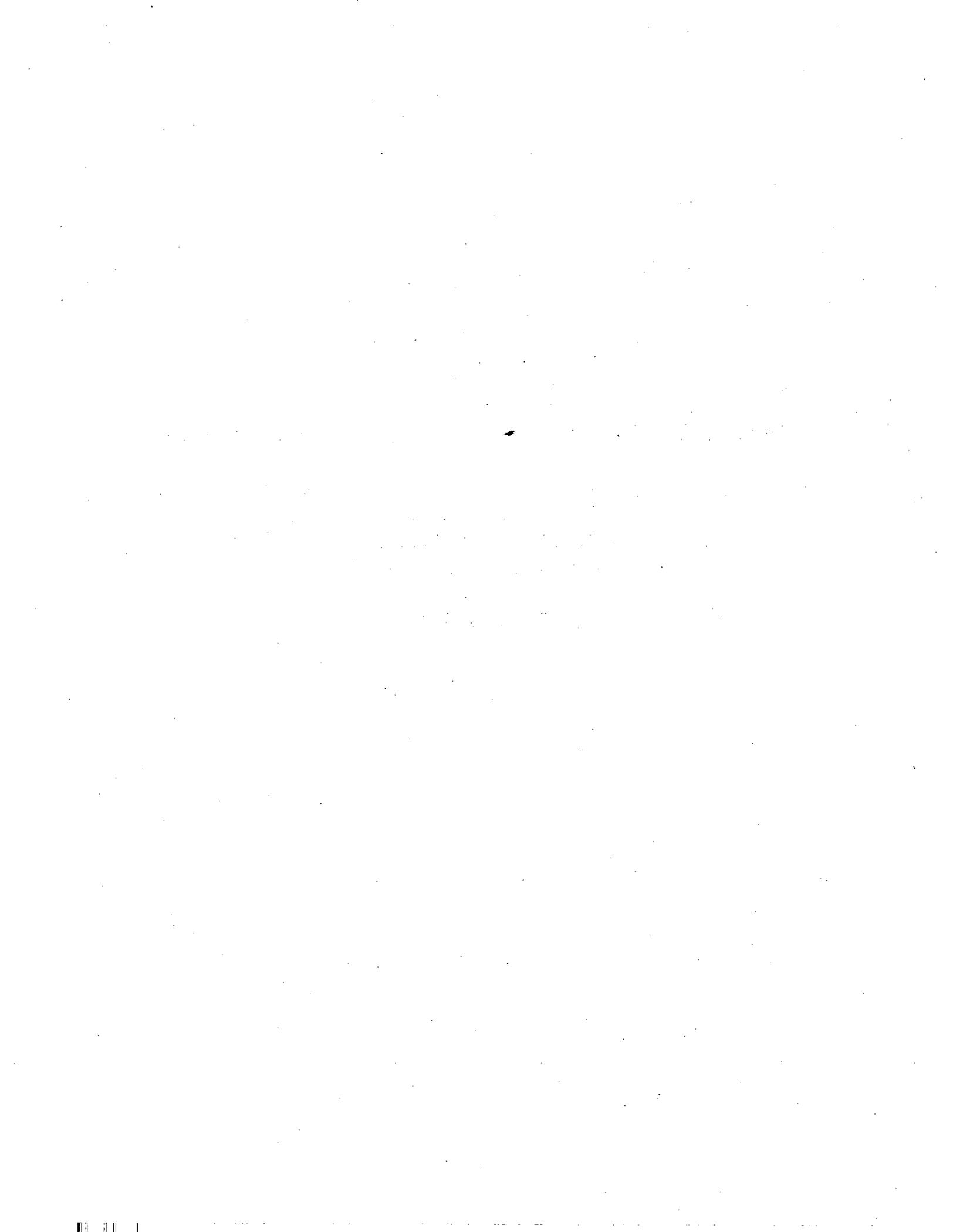
All other offenses - not to exceed 1 year from the date of such conviction.

Note: Convictions include YO adjudications

Anti-Bias Committee, New York County, Supreme Court, Civil Term

Hon. Alice Schlesinger
Justice, Supreme Court
60 Centre Street, Room 557
New York, New York 10007

212- 374-4744



LOCAL COMMITTEES 2001-2002

Name of the Committee Anti-Bias Committee, NYS Supreme Court, NY County-Civil

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

Alice Schlesinger

60 Centre Street, Room 557, NYC 10007 (212) 374-4744

Meeting Dates in the Past Year we meet once a month - though we were
supposed to meet on 9/13/01 but did not and did not meet again until 12/0

Activities for Domestic Violence Awareness Month 2001 _____

PLEASE SEE ATTACHED

Activities for Women's History Month 2002 These have been somewhat delayed
but we are honoring our women court officers by photography, each
one and displaying their picture with an explanatory, appreciative
statement.

Other Activities in the Past Year _____

Plans for Next Year _____ **PLEASE SEE ATTACHED**

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004

Domestic Violence Awareness Month 2001

Prior to September 11, we were in midst of planning a forum on domestic violence and culture as a factor in dealing with situations of domestic violence. We were going to focus on how it may appear and impact on a case as it proceeds through our court from intake, pre-trial, trial and post-trial with speakers specifically addressing each area of the process. We were working closely with Sujata Warriar of the Governor's Office on the Prevention of Domestic Violence to develop a dynamic interchange of ideas that addresses the impact of culture on domestic violence without falling into the realm of stereotyping. Before our plans could be finalized the tragedy occurred, and the collective sentiment of the Subcommittee on Domestic Violence Awareness, was that a program with culture as its focus, might be perceived as divisive in a time of national unity and with the tragedy so fresh in our staff's minds we determined that it was not appropriate to pursue the program in October. We concluded that for the year 2001, it would be better to forego any program, in favor of an event planned for later. Consequently, we canceled the program and are now looking into possibly doing something different perhaps in June or proceeding with our original concept for next October. The Domestic Violence and Cultural Awareness program would require a fair amount of coordination in obtaining speakers with knowledge and the right sense of balance to make a meaningful contribution. Also we would want to obtain a name moderator, who would be a strong presence that would control the proceedings and draw an audience to an event, that tends to be less than well-attended no matter how well publicized.

Another project that we may do in October is a fair in the rotunda, featuring tables with literature and counselors or representatives of various agencies and groups that provide services to the victims of domestic violence. The two programs could be coordinated so that the agencies who appear for the fair may attend the forum and contribute to the program.

We will also examine other alternative ideas with a view to gaining a wider audience, then just the usual suspects. This would involve planning a program around a name speaker. Meetings will be held within the next few weeks to consider possible programs.

Our subcommittee will be meeting to review various program options in March.

Bronx County Supreme Court Committee

Hon. Richard Lee Price
Acting Justice, Supreme Court
851 Grand Concourse
Bronx, New York 10451

718- 590-3590

Handwritten text, possibly a signature or a name, centered on the page. The text is faint and difficult to read.

TWELFTH JUDICIAL DISTRICT
GENDER FAIRNESS COMMITTEE
851 Grand Concourse
Bronx, New York 10451



HON. RICHARD LEE PRICE
Chair

HON. JOHN COLLINS
Acting Administrative Judge

COMMITTEE MEMBERS

Tania Antero
Josephine M. Bastone
Lucille M. Barbato
Hon. Peggy Bernheim
Madeline Bigelow
J. Mark Bodde
Michael K. Burke
Phyllis Cherebin
Helen Corporan
Maria Cortese
Hon. Tandra Dawson
Donna Dodds
Hon. Marian Doherty
Hon. Laura Douglas
Darlene Dove
Ruth Eichmiller
Sheila Feinerman
Hon. Anita Florio
Earnestine Glover
Hon. Arlene H. Hahn
Karen Hamberlin
Jennifer Herrera
Saundra Jefferson
Ellie Jurado
Esther Kelly
Hon. Sallie Manzanet
Hon. La Tia W. Martin
Theresa McDermott
Hon. Donna M. Mills
Nilsa Moreno
Beth Nedow
Hon. Barbara Newman
Tracy Pardo
Charlene Pulakos
Maria Rivero
Hon. Gayle P. Roberts
Hon. Norma Ruiz
Karen Saab
Emily Sanchez
Linda A. Stark
Hon. Alison Tuitt
Ann Wilson

TO: HON. BETTY WEINBERG ELLERIN
Chair, New York State Judicial Committee
on Women in the Courts

FROM: HON. RICHARD LEE PRICE
Chair, Gender Fairness Committee
Twelve Judicial District *RL*

SUBJECT: APRIL 30, 2002 Meeting of Local Committee Chairs

DATE: April 4, 2002

The Gender Bias Committee of the Twelfth Judicial District has sponsored a number of projects during the past year. The following stand out as particularly noteworthy:

1. This year was our 3rd annual program of Women History Month Celebration, which was hosted by Earnestine Glover, and held on March 15, 2002. The program was highly successful and was designed to bring awareness of a "Non-Bias" workplace to all. The program honored four gifted women: See annexed for further information on this program and the one for 2001.
2.
 - a. Our Annual National Domestic Violence Awareness Month Workplace Education Day program was held October 23, 2001. Our keynote speaker was AJSC Ruth Levine Sussman who spoke about the new integrated Domestic Violence Court (see annexed for more).
 - b. A second program was presented on November 9, 2001 "Breaking the Cycle" a short play, written and performed by DREAMYARD a group of survivors. This was a very emotional presentation.
3. Two successful food and Clothing Drives were held during the year. One in May and the other in October for the benefit of shelters and transitional housing.

4. On Wednesday, March 28, 2001 we presented a Roundtable Discussion on Women In The Courts – “We’ve Come A Long Way.”
5. Our Committee continues to be quite active with outstanding participation from the Bench, the Bar, all levels of Court Employees, the District Attorneys Office the Bronx Defenders, The Legal Aid Society, the Shelters and various other interested groups.

I do not set forth the contents of our meetings since I always include you in our meeting notices and minutes mailing.

My two right arms, Hon. Earnestine Glover, Deputy Chief Clerk of the Bronx Surrogate’s Court and Josephine M. Bastone, Esq., Principal Law Clerk of the Bronx Supreme Court, Civil Term and I look forward to the April 30th meeting.

These gatherings are always educational and informative.

RLP:bar

Enclosures

LOCAL COMMITTEES 2001-2002

Name of the Committee Twelfth Judicial Gender Fairness Committee

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

Honorable Richard Lee Price, Supreme Court, Bronx County, 851 Grand
Concourse, Bronx, New York 10451, (718) 590-3590, Fax (718) 590-4824,
E-mail: rprice@courts.state.ny.us

Meeting Dates in the Past Year February 13, 2001, March 27, 2001, April 25, 2001
June 5, 2001, September 5, 2001, October 12, 2001 and December 18, 2001

Activities for Domestic Violence Awareness Month 2001 Annual program held on
October 23, 2001; Food, Clothing, Toys, Books, etc. Drive held the week of
October 29, 2001 and the presentation of "Breaking The Cycle", a short play
written and performed by Dream Yard (Survivors) (see material annexed).

Activities for Women's History Month 2002 A program was presented on March 15,
2002 honoring four outstanding women and another program was presented on
March 28, 2001 "We've Come A Long Way" (see material annexed).

Other Activities in the Past Year Another Food, Clothing, Books, Toys, etc.

Drive the week of May 21, 2001.

Plans for Next Year Continue Food & Clothing Drives to battered women in

New York City's shelters. Coninue "Women in the Courts" involving diversity.

Make plans for our Annual Domestic Violence Month and our Fourth Annual

Women's History Month Celebration. Our committee will continue to have

meetings and discuss areas of concern.

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to:

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004



**THE BRONX COUNTY
GENDER BIAS COMMITTEE
HONORABLE LUIS A. GONZALEZ,
ADMINISTRATIVE JUDGE
HONORABLE RICHARD L. PRICE, CHAIR**

Presents Our Annual Program for
National Domestic Violence Awareness Month
“Work Place Education Day”

**Tuesday, October 23rd, 2001
12:30 to 2:00 P.M.
Courtroom 600**

<u>Prayer</u>	Rev. Sherrill Scott,	Principle court clerk Bronx Surrogates’s Court
<u>Anthem</u>	Mr. Frank Palombo.	Bronx Borough Presidents Office
<u>Reflection</u>		
<u>Welcome & Opening Remarks</u>	Hon. Luis A. Gonzalez,	Administrative Judge 12 th Judicial District
<u>Proclamation</u>	Hon. Fernando Ferrer,	Bronx Borough President
<u>Moderator</u>	Hon. Helen Corporan	1 st Deputy Chief Clerk Supreme Court Bronx County
<u>Domestic Violence and the Integrated Court System</u>	Hon. Ruth Levine Sussman	Acting Justice of the Supreme Court
<u>Improving our Support EAP to Work life</u>	Ms. Lauren De Sole	Chief of Employee Relations Office of Court Administration
<u>Closing Remarks</u>	Hon. Richard L. Price,	Chair, 12 th Twelfth Judicial District Gender Bias Committee

Program Co-Sponsors

Black Bar Association of Bronx County * Bronx Borough President *Bronx County Bar Association *Bronx County Clerk *Court Deli
*Metropolitan Women Bar Association *National Hispanic Prosecutors Association *Network of Bar Leaders *Puerto Rican Bar Association
*Women in the Law Committee, New York State Bar Association *Women Rights Committee, New York Lawyers County Lawyers’
Association *Bronx Civil Court *Bronx Criminal Court *Bronx Surrogates Court *Law Related Education Committee, New York Court
Lawyers association

LUNCH WILL BE SERVED

If you plan to attend please R.S.V.P. Earnestine Gloves (718) 590-3961 or Josephine Bastone (718) 590-3758.

To: Hon. Richard Lee Price
Chair, Gender Fairness Committee

From: Josephine M. Bastone, Esq.
Chair, Food and Clothing Drive Sub-Committee

Re: May 2001 Drive

The May 2001 Food and Clothing Drive was initially designated as being for the benefit of Thorpe Family Residence. Thorpe Family was unable to take all the donations, however. The items not accepted by Thorpe were given to Theresa's Haven.

We collected approximately 75 bags and boxes of items, at collection points set up in the Supreme Court, Criminal Court, Family Court, Housing Court, and Bronx District Attorney's Office buildings. The majority of items donated were clothing, although food and baby items were also given.

As always, the members of the Food and Clothing Drive Sub-Committee worked hard to ensure the success of the Drive. The Sub-Committee is composed of: Josephine M. Bastone, Chair; Earnestine Glover, Theresa McDermott, Tracy Pardo, and Maria Rivero. Charlene Pulakos served as the contact person in Criminal Court. Gender Fairness Committee members Hon. Luis A. Gonzalez gave his authorization for all needed activities, and Michael Burke arranged for the use of a secure room and for the photocopying of flyers.

THE BRONX COUNTY GENDER BIAS COMMITTEE

- ANNOUNCES -

**A FOOD AND CLOTHING DRIVE
TO BENEFIT THORPE FAMILY RESIDENCE**

DATES: MAY 21, 22, 23, 24, AND 25 2001

**DROP OFF SITES: SUPREME COURT - ('A' ELEVATOR) 6M DESK
CRIMINAL COURT - 9th FLOOR RECEPTION
FAMILY COURT - ROOM 8-10
HOUSING COURT - 7th FLOOR STAFF LOUNGE
DA'S OFFICE, 198 E. 161 ST., RM 941(RECEPTION AREA)**

**WHAT: CANNED FOOD GOODS, INCLUDING BABY FOOD
(CLEAN) USED OR NEW ADULT CLOTHING
(INCLUDING WOMEN'S BUSINESS ATTIRE)
(CLEAN) USED OR NEW CHILDREN'S CLOTHING
CHILDREN'S TOYS, BOOKS, DISPOSABLE DIAPERS
HOUSEHOLD GOODS, LINEN**

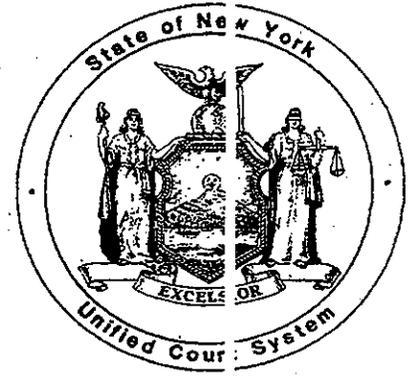
**PLEASE NOTE: THORPE FAMILY IS ESPECIALLY IN NEED OF FOOD
DONATIONS AT THIS TIME.**

**WHO: THORPE FAMILY RESIDENCE PROVIDES TRANSITIONAL
AND PERMANENT HOUSING AND ASSISTANCE TO THE
HOMELESS, INCLUDING VICTIMS OF DOMESTIC ABUSE.**

**ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE.
FOR INFORMATION IN EACH BUILDING, CONTACT:**

SUPREME COURT:	JOSEPHINE M. BASTONE, ESQ. (718) 590 - 3758
CRIMINAL COURT:	CHARLENE PULAKOS, ESQ. (718) 590 - 2927
FAMILY COURT:	TRACY PARDO (718)590 - 3319
DISTRICT ATTORNEY BLDG.:	MARIA RIVERO, ESQ. (718) 590 - 2258
HOUSING COURT:	UCO THERESA McDERMOTT (718) 466 - 3102

**THE BRONX COUNTY
GENDER FAIRNESS COMMITTEE**
HONORABLE LUIS A. GONZALEZ,
Administrative Judge
HONORABLE RICHARD LEE PRICE, Chair



presents a program as part of
National Domestic Violence Awareness Month

“Breaking The Cycle”

A Short Play, Written and Performed by

DreamYard

Survivors.

**Friday, November 9, 2001
12:30 to 2:00 p.m.
Courtroom 621**

Welcome & Opening Remarks

HON. RICHARD LEE PRICE, Chair,
Twelfth Judicial District Gender Fairness Committee

Program Co-Sponsors

Black Bar Association of Bronx County * Bronx Borough President * Bronx County Bar Association * Bronx County Clerk * Court Deli * Metropolitan Women's Bar Association * National Hispanic Prosecutors Association * Network Bar Leaders * Puerto Rican Bar Association * Women in the Law Committee, New York State Bar Association * Women's Rights Committee, New York County Lawyers' Association * Bronx Civil Court * Bronx Criminal Court * Bronx Family Court * Bronx Surrogate's Court

PLEASE BRING YOUR LUNCH

If you plan to attend please R.S.V.P. Ernestine Glover (718) 590-3961 or Barbara Rerington (718) 590-3

SURROGATE'S COURT
BRONX COUNTY-STATE OF NEW YORK
851 GRAND CONCOURSE
BRONX, NEW YORK 10451

LEE L. HOLZMAN
JUDGE



MICHAEL L. PRISCO
CHIEF CLERK
EARNESTINE GLOVER
DEPUTY CHIEF CLERK

TO: Hon. Richard Lee Price
Chair Gender Fairness Committee
12th Judicial District

April 4,2002

FROM: Earnestine Glover
Chair Domestic Violence/ Women History
Month Programs

WOMAN HISTORY MONTH
March 2001
March 2002

The committee now has what we call our annual women history program. We honor women of substance . You may say, well committee what do you mean women of substance?

Our answer is women with great careers, wives, lawyers, judges teachers, leaders of their community, women who are not perfect but are struggling everyday to be better at what they do. Mothers, sisters, grandmothers, friends, culturally diverse women who by their being make this world a better place. We select women of varies back grounds and communities .Our goals are to spotlight the wonderful make up of women in the Bronx and the World .

The program for March 15,2001 celebrated and honored the Hon. Gloria Davis, Assemblywoman 79th Assembly District the Hon. Betty Weinberg Ellerin Associate Justice Appellate Division, First Department., Lenore Kramer Esq. Of Kramer & DeVries LLP and Lorraine Cortes-Vazquez, President, Hispanic Federation. Each of these women received a women history month plaque. We also gave out 15 distinctive women certificate to employees of the court.

The third program was held on March 15 ,2002 the Honoree were the Hon. Maria Baez, Council Member 14th Council District, Sana Q. Nasser, Principal ,Harry S. Truman High School, Hon. Ann T. Pfau, Deputy Chief Administrative Judge for Management Support and the Administrative Judge, Supreme Court, Second Judicial District, Elinor Tatum, Publisher and Editor-in- Chief, of The Amsterdam News. All of these women received the woman history month annual plaque. We again awarded 16 distinctive woman certificate to our most deserving co-workers.

DOMESTIC VIOLENCE MONTH
October 2001

The recognition and education of domestic violence in our work environment has become mainstream in the 12th Judicial district .We have had several programs on the issues during the month of October,2001 and many discussion during the regular gender fairness meetings .

The literature that members receive in our meeting packets from the chair of the committee and OCA has made the task of getting this information out to all employees and members of the public proceed with ease. Our first program on domestic violence this past year was held on Oct.23rd 2001 the speaker was the Hon. Ruth Levine Sussman Acting Justice Of The Supreme Court. Justice Sussman spoke on the new initiative within the court system "The Integrated Domestic Violence Court."

Including the changes and the good that would come from having all of the matters pertaining to domestic violence in one central location.

The committee was also very involved in the research of issues surrounding domestic violence its affect on families, children and the courts .We found issues of children being taken from their parents because of drugs and the part that drugs among other things played in domestic violence.. We found an advocacy group called " Dream Yard" that worked with these parents. These are groups of parents who travel to different organizations doing short plays about their experience in the courts such as losing custody of their children, orders of protection etc. The role playing included information on how to overcome these obstacles, regain custody and receive your order of protection. This program because of their schedule was held the first week in November . It was well attended and there were tears flowing freely when the program ended .

The past year has been both educational, controversial, rewarding, happy and sad and with all of this we are getting better then we ourselves thought we could ever be. Thanks to all of the committee members for their hard work and dedication and to you for your superb leadership.

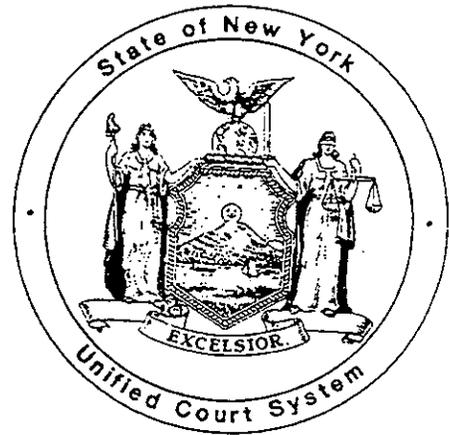
Please note copies of programs and flyers and bio of all honoree.

THE BRONX COUNTY
GENDER FAIRNESS COMMITTEE

HONORABLE LUIS A. GONZALEZ,
ADMINISTRATIVE JUDGE
HONORABLE JOHN P. COLLINS,
SUPERVISING JUDGE, CRIMINAL TERM
HONORABLE RICHARD LEE PRICE,
CHAIR

AND

THE BRONX WOMEN'S BAR
ASSOCIATION



- present the annual program for -

Women's History Month

FRIDAY, MARCH 15, 2002
12:30 TO 2:30 P.M.
VETERANS' MEMORIAL HALL, BRONX SUPREME COURT

Honorees

HON. MARIA BAEZ
Council Member, 14th Council District

SANA Q. NASSER
Principal, Harry S. Truman High School

HON. ANN T. PFAU
Deputy Chief Administrative Judge for Management Support
Administrative Judge, Supreme Court, Second Judicial District

ELINOR TATUM
Publisher and Editor-in-Chief, The Amsterdam News

PROGRAM CO-SPONSORS

• Association of Black Women Attorneys • Black Bar Association of Bronx County • Bronx Borough President • Bronx County Bar Association • Bronx County Clerk • Court Deli • Hispanic Court Officers Society • Loria Corporation • Metropolitan Women's Bar Association • National Hispanic Prosecutors Association • New York State Court Officers Association • New York State Trial Lawyers Association • Puerto Rican Bar Association • Tribune Society •

REFRESHMENTS WILL BE SERVED
If you plan to attend, please R.S.V.P. to Maria Rivero (718) 590-2258,
Earnestine Glover (718) 590-3961, or Josephine M. Bastone (718) 590-3758

Program Committee Members

Earnestine Glover, Chair
Josephine M. Bastone, Esq., Co-Chair
A.D.A. María Rivero, Co-Chair

Tanya Antero

Helen Corporan

Hon. Laura Douglas

Sheila W. Feinerman, Esq.

Hon. Arlene Hahn

Marjorie Lesch, Esq.

Hon. La Tia Martin

Hon. Donna Mills

Nilsa Moreno

Tracy Pardo

Hon. Richard Lee Price

Barbara A. Remington

Hon. Gayle P. Roberts

Emily Sanchez

**THE BRONX COUNTY
GENDER FAIRNESS COMMITTEE**

HONORABLE LUIS A. GONZALEZ,

Administrative Judge

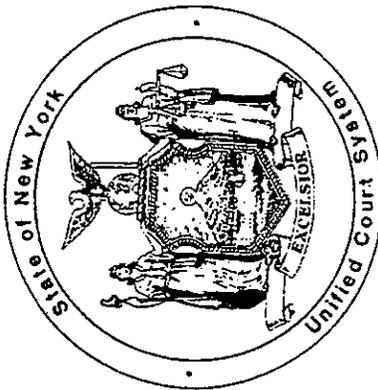
HONORABLE JOHN P. COLLINS

Supervising Judge, Criminal Term

HONORABLE RICHARD LEE PRICE, Chair

AND

THE BRONX WOMEN'S BAR ASSOCIATION



**WOMEN'S HISTORY MONTH
CELEBRATION**

Friday, March 15, 2002
12:30 p.m. to 2:30 p.m.
Bronx County Building
851 Grand Concourse
Veterans' Memorial Hall

PROGRAM

Invocation

National Anthem

Sung by: **FRANK PALOMBO**
Bronx Borough President's Office

Welcome & Opening Remarks

HON. LUIS A. GONZALEZ

Administrative Judge, Twelfth Judicial District

HON. JOHN P. COLLINS

Supervising Judge

HON. ADOLFO CARRION, JR.

Bronx Borough President

Moderator

EARNESTINE GLOVER

Deputy Chief Clerk

Surrogate's Court

Poem: "Girlfriends"

Recited by:

AL'LEAR "LEE" REDMAN-HOGG

Bronx Housing Court Officer

HONOREES

HON. MARIA BAEZ

Council Member, 14th Council District

SANA Q. NASSER

Principal, Harry S. Truman High School

HON. ANN T. PFAU

Deputy Chief Administrative Judge for Management Support
Administrative Judge, Supreme Court, Second Judicial District

ELINOR TATUM

Publisher and Editor-In-Chief, The Amsterdam News

Musical Selection

Sung by:

A.D.A. FAYE A. YELARDY

Accompany by: Michael Golden

WOMEN OF DISTINCTION CERTIFICATES

Presented by:

EARNESTINE GLOVER, Chair

JOSEPHINE M. BASTONE, ESQ., Co-Chair

A.D.A. MARIA RIVERO, Co-Chair

Closing Remarks

HON. RICHARD LEE PRICE

Chair, Twelfth Judicial District, Gender Fairness Committee

Program Co-Sponsors

Association of Black Women Attorneys * Black Bar Association of Bronx
County * Bronx Borough President * Bronx County Bar Association *
Bronx County Clerk * Hispanic Court Officers Society * Loria Corporation *
Metropolitan Women's Bar Association * National Hispanic Prosecutors
Association * New York State Court Officers Association * New York
State Trial Lawyers Association * Puerto Rican Bar Association *
Tribune Society * Yankee Tavern *

**WOMEN'S HISTORY MONTH
CELEBRATION**

H O N O R E E S

**FRIDAY, MARCH 15, 2002
BRONX COUNTY BUILDING
VETERANS' MEMORIAL HALL**

HON. MARIA BAEZ
Council Member, 14th District

The Honorable Maria Baez represents the 14th Council District, Bronx County, which includes the neighborhoods of Fordham and Kingsbridge.

Most recently, Ms. Baez was the first Hispanic woman to serve as the Chief Clerk of the Bronx County Board of Elections. Ms. Baez also served as Chief of Staff to Assemblyman Jose Rivera where she developed a reputation for being a no-nonsense community activist and hardworking administrator with unbending principles. When Jose Rivera became a New York City Council Member, she continued her work with him, becoming well versed with the inner-workings of the City Council and developing great working relationships with many of the members of their staff.

Understanding the necessity for affordable housing, both in the Bronx and throughout New York City, Ms. Baez ably served as the Executive Director of the Housing Workshop, a not-for-profit organization in the Bronx committed to addressing affordable housing issues.

As one of the most active and hard-working members of her community, Ms. Baez founded the Parents Association at P.S. 33. Ms. Baez also actively served on the Executive Board of the 2300 Tenants Block Association.

While developing her strong interest in politics, Ms. Baez has had the opportunity to serve as a Democratic State Committee Member and was Female District Leader in the 78th Assembly District.

Ms. Baez is a product of the New York City public school system, first attending P.S. 109, and thereafter J.H.S. 82. Ms. Baez also attended Walton High School. She earned an Executive Secretary certificate from Monroe College and then studied Public Administration at CUNY Lehman College.

Ms. Baez has worked closely with community residents, business leaders, and elected officials to ensure that the Bronx community receives necessary and responsive services. As a City Council member, her priorities will be education, affordable housing, economic development, improving police-community relations, and anti-drug initiatives.

Ms. Baez is a lifelong resident of Bronx County. As a single mother, grandmother, and with a daughter currently attending college, Ms. Baez has understood the challenge of raising a family and the responsibility of active community and civic participation.

Sana Q. Nasser
Principal, Truman High School

Sana Q. Nasser began her crusade for the advancement of disadvantaged families during her college years. She worked on establishing a system where community members donated clothing and school supplies for children. She located a store where those items could be displayed and made available for every family in need. She also worked closely with battered women, securing a safe haven for them, educating them, and helping them to become independent enough to care for themselves and their children.

Upon graduating from Fredonia College, Ms. Nasser arrived in New York City and volunteered with the North Bronx Central Hospital where she counseled battered women and victims of incest. She taught mathematics and science to special education male and female students and, during her tenure, students achieved the highest percentage of passing on Regents Competency exams. Ms. Nasser went on to teach adults science and mathematics and guided them in obtaining their high school diploma. She also counseled graduates and assisted them in obtaining jobs and in becoming productive citizens.

During her tenure as Director of Funded Programs in School District 11 in the Bronx, she wrote a federal grant and obtained funds to begin the first pre-K program in public schools. Ms. Nasser felt that economically disadvantaged families needed to be given the opportunity for advancement by educating mothers and their children. Young mothers were given instruction on parenting, GED classes, and help in exploring possible vocations. Once the mothers obtained their GED, she taught them

how to complete a resume, how to interview for a position, and ultimately, she helped them find employment. Ms. Nasser also taught computer information courses for adults, concentrating her efforts on encouraging women to enroll in these courses in order to meet the market demand, thereby providing them with greater opportunities for successful careers.

Ms. Nasser, in her present position as the principal of Truman High School, encourages her female students to seek leadership roles, become involved in competitive sports, achieve high academic levels, and pursue higher education. She serves as a positive role model to all of her students.

HON. ANN T. PFAU
Deputy Chief Administrative Judge for Management Support
Administrative Judge, Supreme Court, Second Judicial District

Although this Brooklyn resident crossed the Rubicon to take her Masters in Special Education from Columbia University in 1974, the Honorable Ann T. Pfau returned to Brooklyn to study the law. But that borough was too small to confine her for long and, today, Judge Pfau is the highest-ranking female administrative judge in New York State, holding both the position of Deputy Chief Administrative Judge for Management Support and just recently, Administrative Judge of the Supreme Court, Second Judicial District.

Ever since her graduation from Brooklyn Law School in 1984, Judge Pfau has worked in the "head office." Starting right out of law school in the Office of Counsel, she represented court system administrators in judicial and administrative proceedings and provided valuable counsel on a variety of management as well legal matters.

In 1990, she became Executive Assistant to the Deputy Chief Administrator for Management Support, a position in which she had direct responsibility for implementing the administrative and operational policies of the court system in such

diverse areas as personnel and equal employment opportunity, labor relations, budget and audit, security, libraries, automation, and public information.

From 1996 to 1997, Judge Pfau was named Special Counsel to the Chief Administrative Judge. As the chief legal advisor, counselor and principal executive officer, she applied her talents to providing valuable assistance in setting the policies and procedures she had previously been charged with implementing, as well as bringing her considerable acumen to the development of legislation and new operational initiatives. In 1998, she was appointed to the New York City Criminal Court and was promoted to her present position as Deputy Chief Administrative Judge for Management Support.

For almost four years, Judge Pfau has been responsible for managing the day-to-day operations of the court system. She oversees the budget, human resources, court facilities, labor relations, and employee training, and in every facet, she brings what Chief Judge Judith S. Kaye has described as “superb management skills, boundless energy and great strength of character.” Judge Pfau’s extraordinary efforts and considerable achievements were recognized this year when she was asked to also take on the duties of Administrative Judge for the Supreme Court, Second Judicial District.

ELINOR TATUM
Publisher and Editor-in-Chief, Amsterdam News

Elinor Tatum is publisher and editor-in-chief of the Amsterdam News, New York's largest, and one of the nation's oldest, Black newspapers.

The daughter of Wilbert A. Tatum, Publisher Emeritus and Chief Executive Officer, and Susan Kohn, a Jewish Holocaust survivor, Elinor grew up in New York City - the melting pot of the world. Upholding the contemporary values of her family, she became devoted to community involvement and an ever-loving quest for knowledge.

At 29 years of age, Elinor has had the opportunity to participate in local and international community works. She has traveled extensively and, in 1990, Elinor was one of 14 students to serve in Student Transport Aid. This effort, led by slain journalist Dan Eldon, traveled overland in Africa from Kenya to Malawi, helping refugees fleeing Mozambique into Malawi.

Personally inspired by the effort of Eldon before his untimely death in 1993 while on assignment in Somalia, Elinor developed a greater appreciation for the power of the media. From the moment she stepped onto the campus of St. Lawrence University in 1989, Elinor began to take an active role in the school's newspaper. After her experience with Eldon, however, she became even more involved in the newspaper, working her way up the ladder.

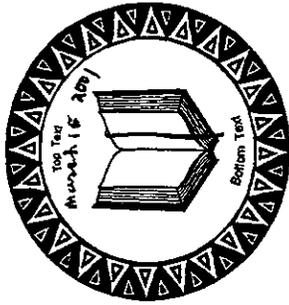
After completing her undergraduate studies, Elinor attended Stockholm University in Sweden, but was soon drawn back to New York, accepting a position as Assistant to the Publisher of the Amsterdam News, where she also worked as a reporter, filing stories on topics ranging from the Million Man March to boxing to the City University of New York student strike.

In 1996, Elinor was promoted to Associate Publisher and Chief Operating Officer of the paper. That year she entered NYU's graduate school, working toward her Master's in Journalism and Mass Communication, while continuing to work full time at the newspaper. In December 1997, Elinor completed the course work for her Master's and was promoted to Publisher and Editor-in-Chief.

A biographical profile of Elinor has been selected for inclusion in Who's Who of American Women, Millennium Edition.

Elinor is the recipient of many awards including: Women's History Month Award, Advocates Award, Women Who Make A Difference, Outstanding Business Empowerment Award, Standing On Their Shoulders Award, and the Good Scout Award.

WOMEN OF DISTINCTION



AWARDED TO

BY

THE BRONX COUNTY GENDER BIAS COMMITTEE

AND

THE BRONX WOMEN'S BAR ASSOCIATION

Queens County Supreme Court Gender Fairness Committee

Hon. Sheri Roman
Justice, Supreme Court
125-01 Queens Blvd.
Kew Gardens, NY 11415

718-520-4416

1911

1911

1911

LOCAL COMMITTEES 2001-2002

Name of the Committee NYS Supreme Court Queens County Gender Fairness Committee

Name, Address, Telephone and Fax Numbers and E-mail Address of the Chair

Hon Sheri S. Roman

NYS Supreme Court, 125-01 Queens Boulevard, Kew Gardens, NY 11415

(718) 520-4416 (office), (718)520-7732 (fax) E-Mail address: sroman@courts.state.ny.us

Meeting Dates in the Past Year : June 4, 2001, September 25, 2001, and February 28, 2002

(meetings including telephonic meetings)

Activities for Domestic Violence Awareness Month 2001: A reference table with

resource materials was displayed in each of the three Queens Supreme

Courthouses throughout the month of October. The pamphlets contained

information and statistical data on domestic violence. We tried to collect a

variety of pamphlets in different languages.

Two complimentary luncheon programs were held in conjunction with

October's Domestic Violence Awareness Month on October 18, 2001 and October

23, 2001. The guest speaker for both programs was Victoria L. Lutz, Esq.,

Executive Director of the Pace University School of Law Woman's Justice Center.

One program was scheduled to be held at the Jamaica Courthouse, but due to

construction at that location, both sessions were held at the Kew Gardens

Courthouse. We provided transportation from the Jamaica facility to Kew

Gardens. The first session was entitled, "Domestic Violence and the

Workplace." The second session, "Ethical Issues in the Battered Spouse

Case," offered CLE credit for those who requested, for a nominal fee. (See enc.)

Activities for Women's History Month 2002: The New York State Bar Association

Women in the Law Committee photographic exhibit of Women in the Law was on display at the Kew Gardens Courthouse and will be displayed at the Jamaica Courthouse. The exhibit, based on materials from the NY County Clerk's archives that were displayed at the 60 Centre Street Courthouse rotunda, included select items from the NY exhibit that were preserved on boards for display.

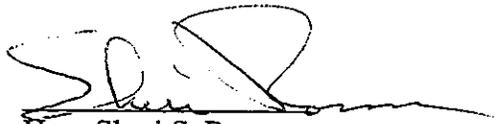
On March 26, 2002 we had an extremely well attended luncheon lecture. Over 80 courthouse personnel from all strata came to hear Professor Margaret Valentine Turano of St. John's University School of Law speak on Women in Law and Literature. Convening the session in our 8th floor boardroom (after a light luncheon approved by Justice Steven Fisher) created an atmosphere where you could not hear a pin drop for the entire session. (See enc.)

Other Activities in the Past Year: In April we coordinated the 2-day activity for "Take Your Daughters to Work /Take Your Sons to Work/ Take Your Children to Work" programs.

Plans for Next Year:

- 1) We are starting to plan for our October Programs for Domestic Violence Awareness Month.
- 2) We want to formulate new scripts for our mock trial presentation for the Take Your Daughters/Sons to Work program.
- 3) We are considering linking a book drive to supply new books to graduates of the Queens Treatment Court with our children's day programs in April.

Submitted By:


Hon. Sheri S. Roman

Please attach copies of flyers or programs from events or written materials about your committee.

Please return this form by **March 31, 2002**, to :

Jill Laurie Goodman, Counsel
NYS Judicial Committee on Women in the Courts
25 Beaver Street, Room 878
New York, New York 10004

NYS SUPREME COURT QUEENS COUNTY GENDER FAIRNESS COMMITTEE

Minutes of September 25, 2001 Meeting
Hon. Sheri S. Roman, Chairperson

ATTENDING

M.J. Mezzina, Esq., Captain Jack Allen, Maureen Crescimanno.

The meeting was called to order at 1:10 P.M.

The Committee welcomed our newest member, Maureen Crescimanno, Secretary for Supreme Court Justice Roger Rosengarten.

THE PROGRAM FOR OCTOBER'S DOMESTIC VIOLENCE AWARENESS MONTH

Justice Roman announced that because of the tragic events of September 11, 2001 and time constraints in procuring speakers for the October programs she selected two topics for Domestic Awareness Month. The first program entitled "Domestic Violence and the Workplace" will take place on Thursday, October 18th at 1 P.M. in Room 190 of the Kew Gardens Courthouse.

The second program entitled "Ethical Issues in the Battered Spouse Case" will take place on Tuesday, October 23rd at 1 P.M.. Because of the ongoing renovations in Jamaica, the second program will also take place in Room 190 of the Kew Gardens Courthouse. Transportation will be provided from the Jamaica Courthouse on both dates.

The guest speaker for both programs will be Victoria L. Lutz, Esq. Executive Director of the Pace University School of Law Woman's Justice Center.

1.5 hours of CLE ethics credit will be offered for the second program only. The cost of this program is \$25.00 for those who wish CLE credit. It is free for those who do not wish CLE credit. There will be a complimentary lunch served at each program. Funds for the luncheon will be provided by Justice Fisher. The luncheon will consist of hero sandwiches, salads and beverages. Theresa Wilson will oversee the ordering the food and M.J. Mezzina will arrange the placement of the luncheon table at the programs to provide for the least distraction for the speakers and audience members. Theresa Wilson volunteered to prepare a flyer for the programs and to distribute them throughout the Queens Courts. Jim Dollin will prepare and disseminate a press release to the New York Law Journal, District Attorney's Office, Legal Aid and the various Bar Associations.

-continue-

In addition, the committee will sponsor tables with brochures in the Jamaica, Kew Gardens and Long Island City courthouses commencing on October 11, 2001. Samples of the materials which will be handed out were distributed at the meeting. Justice Flug and Russ Rodriguez will oversee staffing for the table in Jamaica, Dennis Lebwohl in Long Island City, and Captain Jack Allen in Kew Gardens.

The meeting was adjourned at 1:45 P.M.

**NYS SUPREME COURT QUEENS COUNTY
GENDER FAIRNESS COMMITTEE**
125-01 Queens Boulevard, Kew Gardens, New York 11415

CHAIRPERSON

Hon. Sheri S. Roman

MEMBERS

Captain Jack Allen
Maureen Crescimanno
Hon. Phyllis Orlikoff Flug
Hon. Leslie G. Leach
Dennis Lebwohl, Esq.
Paul Lewis, Esq.
M. J. Mezzina, Esq.
Leslie Nizin, Esq.
O. Russ Rodriguez
Hon. Patricia Satterfield
Theresa Silkie
Frances Taylor

MEMORANDUM

**TO: MEMBERS OF THE QUEENS COUNTY
GENDER FAIRNESS COMMITTEE**

**FROM: Honorable Sheri S. Roman,
Committee Chairperson**

DATE: March 12, 2002

RE: Women's History Month in March

I am pleased to inform you that we have a
Women's History Month program scheduled for
Tuesday, March 26, 2002.

Professor Margaret Turano of
St. John's Law School will be a luncheon speaker
at 1 P.M. in the Kew Gardens Courtroom 8th floor
Boardroom. I will be confirming that Justice Fisher
has approved a light lunch to be available.

Flyers will go out shortly. Please call me
at (718)520-4416 with any comments.

SSR:tw

**THE QUEENS COUNTY SUPREME COURT
GENDER FAIRNESS COMMITTEE**

In Celebration of Women's History Month
cordially invite you to attend a lecture by

***PROFESSOR MARGARET TURANO
OF ST. JOHN'S UNIVERSITY SCHOOL OF LAW***

TOPIC: WOMEN IN LAW AND LITERATURE

* * * * *

TUESDAY, MARCH 26, 2002

1:00 p.m. - 2:00 p.m.

* * * * *

QUEENS COUNTY COURTHOUSE
125-01 QUEENS BOULEVARD - ROOM 832
(8TH Floor Boardroom)

Lunch available for those who register by March 22nd

For further information and registration, please call (718)520-4416

Chairperson: Hon. Sheri S. Roman

Committee Members:

Captain Jack Allen
Maureen Crescimanno
Hon. Phyllis Orlikoff Flug
Hon. Leslie G. Leach
Dennis Lebwohl, Esq.
M.J. Mezzina, Esq.
Leslie Nizin, Esq.
Orestes(Russ) Rodriguez
Hon. Patricia Satterfield
Theresa Silkie
Frances Taylor

all are welcome !!!

Moments of Grace: Lawyers Reading Literature

BY MARGARET V. TURANO

When Justice Anthony Kennedy of the U.S. Supreme Court visited St. John's Law School this spring and learned that the school offers a course entitled Law & Literature, he commented that every student should take such a course. Using a "garbage-in, garbage-out" analogy, he suggested that absorbing the good clean prose and lofty ideas of the master-writers would necessarily edify and improve a lawyer.

The law-and-literature connection is neither new nor outlandish. Law as a discipline is one of the humanities, that is, a branch of knowledge concerned with human beings and their culture, including philosophy, literature and the fine arts, and excluding the sciences. Over time, however, legal education has inclined more toward professional training. Lawyers have proliferated, so the practice of law has become more competitive, and the law often concerns itself with redistributing wealth, convicting a criminal, or getting the best deal or the fewest restrictions for a client. Nevertheless, we are humanists. Our cases arise because humans beings interact with each other, harm each other, relate to their spouses and their children, relate to the earth, and strive for power, justice, vindication, or revenge.

Justice Kennedy's vision of literature in the life of a lawyer differs from that of several lawyers of my acquaintance who, though good and successful lawyers, nevertheless resist (or flatly reject) the suggestion that reading good books makes better lawyers. They correctly say (although who would know this better than Justice Kennedy?) that the law has practical effects on real people while literature fancifully describes fictive characters; a poet or playwright can write whatever he pleases, whereas a judge's decisions change people's lives. They conclude that law and literature run on parallel, non-intersecting lines. Literature may relax a person and allow her to "escape," but it is essentially frivolous, or at best a luxury, to be tucked into a lawyer's schedule after she has finished the "real" work of lawyering. They say that lawyers can acquire the same insight and wisdom by interacting with people as by reading about them, and they say that reading is no more important for lawyers than for anybody else. They argue this as though to invite rebuttal, but in my view

no cerebral rebuttal is possible. I simply think about literature in a different way: I believe that reading good books utterly permeates, transfigures and inspires a person and bestows wisdom, insight and compassion. It keeps lawyers attuned to the miracles language can produce, allows them to see a situation through a lens other than their own, nourishes their capacity for astonishment and keeps them asking the right questions.

Language as Miracle

Lawyers are wordsmiths, like novelists and poets. Our tools are the same: words, sentences and paragraphs.¹ James Boyd White, the "dean" of the law-and-literature movement, reminds us what we share in common with the story-tellers:

One way in which the law is poetic is that it works by narrative. From outside it can of course be described as a structure of rules or a set of institutions, as a tool for policy implementation, and so on, but if it is looked at from the inside, as an activity in which individual minds engage, . . . it is better talked about in other terms—as an art of language, as a way of creating versions of experience in cooperation or competition with others. From this point of view, the law always begins in a story: usually in the story the client tells. . . . It ends in story too, with a decision by a court or jury, or an agreement between the parties, about what happened and what it means. The final legal version of the story almost always includes a decision or an agreement about what is to remain unsaid. Beyond the story is a silence it acknowledges.²



MARGARET V. TURANO teaches trusts and estates law at St. John's in addition to her course in law and literature. She is the author of *New York Estate Administration* published by Lexis Publishing and the author of the Practice Commentaries in the McKinney's editions of the New York Estates, Powers & Trusts Law and the Surrogate's Court Procedure Act. A graduate of the College of New Rochelle, she has a master's degree from the University of Wisconsin, a J.D. from St. John's University School of Law and an LL.M. from Yale Law School.

The way that we as lawyers tell our story matters. To be a good writer is an essential trait for a lawyer, and reading good books can affect a lawyer in two ways. The first is quite trite but important: it can improve a lawyer's technical writing skills. Good writing is a lifelong process, and when one ingests good language, prosaic or poetic, on a regular basis, one's writing necessarily improves.

Naturally we are limited in our legal writing; we cannot write briefs in iambic pentameter or create facts as we go along. Still, legal writing that is lean, precise, strong and direct is beautiful, and those are learned traits. As Benjamin Cardozo notes in his mesmerizing 1930 essay, *Law and Literature*,³ "the highest measure of condensation, of short and sharp and imperative directness, a directness that speaks the voice of some external and supreme authority, is consistent . . . with supreme literary excellence." According to Justice Cardozo, judges can be the "mouthpiece of divinity"⁴ whose "magisterial or imperative" style can "fill cathedrals or the most exalted of tribunals."⁵ The thrill of such writing, he continues, "is irresistible. We feel the mystery and the awe of inspired revelation."⁶

Even in less earth-moving and less majestic opinions, however, Justice Cardozo believes that a judge can clinch an opinion by finding the right word:

What a cobweb of fine-spun casuistry is dissipated in a breath by the simple statement of Lord Esher in *Ex parte Simonds*, that the court will not suffer its own officer "to do a shabby thing." If the word shabby had been left out, and unworthy or dishonorable substituted, I suppose the sense would have been much the same. But what a drop in emotional value would have followed. As it is, we feel the tingle of the hot blood of resentment mounting to our cheeks. For quotable good things, for pregnant aphorisms, for touchstones of ready application, the opinions of the English judges are a mine of instruction and a treasury of joy.⁷

A regular diet of good prose has to affect one's writing style—how could it not?⁸ But reading good books affects a lawyer's writing in another, subtler way as well: it makes him think purposefully about language and keeps him aware of the kinds of magic language can perform.

Everyone reading this article will have his own memories of being gloriously moved by some book or another. *Schindler's List* comes to mind; Thomas Keneally's language makes injustice come alive in a way that is brand new and devastating, and the sheer nobility of his protagonist, Oskar Schindler, ennobles us all.⁹ Reading *Schindler's List* inspires; it is "a meditative draught to the soul."¹⁰

Excerpts from many books other than the one I have chosen would have been appropriate to illustrate the magic of words—almost all of Shakespeare, Emily

Brontë's *Wuthering Heights*,¹¹ Don DeLillo's *White Noise*,¹² Chris Adrian's short story "Every Night for a Thousand Years,"¹³ Jane Austen's *Northanger Abbey*,¹⁴ A.S. Byatt's *Possession*,¹⁵ John Kennedy Toole's *A Confederacy of Dunces*,¹⁶ Rick Bass' short story "The Hermit's Story,"¹⁷ among many others. For the sheer defamiliarizing power of language, however, I have chosen a passage from a novel by Walker Percy, a hilarious post-modern Christian existentialist. *The Second Coming*¹⁸ begins when a 21-year-old woman, Allison (Allie), makes her escape from a psychiatric hospital by following directions she has written out for herself and left in the dressing room before undergoing electric shock treatment. The escape is successful but the electricity has compromised her language skills, so as she makes her way to an old house her aunt has devised to her, she (and derivatively we) experience language afresh. Allie believes that words are supposed to mean something, and she is intensely curious about them. The results can be funny, such as when, an hour or so after her escape, a wiry runner joins her as she sits on a park bench:

"I just ran eighteen miles." He closed his eyes and took a deep breath.

"Why?"

"I've been into running for three months."

"You've been what?" What was the meaning of the expression "into running"? Perhaps he was in trouble. He was on the run.¹⁹

Inside the humor, however, is a probing look at language. For Allie, "questions asked were to be answered, printed words were to be read."²⁰ So, when a religious missionary approaches Allie on the street, the following scene ensues:

[T]he woman was smiling, for all the world as if she knew her. Oh my, she thought, perhaps she does and I am supposed to know her. . . . Evidently the woman had something to say to her or expected her to say something, for she did not step aside. As she watched the woman's radiant smile and cast about in her mind for where she might have known her, she noticed that the woman held a sheaf of pamphlets in one hand and that her fingers were ink-stained. From the pressure of the strap of the shoulder bag on the wool of the sweater, she judged that the bag was heavy. Perhaps it was filled with more pamphlets. The woman, still smiling, was handing her a pamphlet. Anxious to make up for not being able to recognize the woman, she began to read the pamphlet then and there. The first three sentences were: *Are you lonely? Do you want to make a new start? Have you ever had a personal encounter with our Lord and Saviour?* While she was reading, the woman was saying something to her. Was she supposed to listen or read?

Facing the woman, she considered the first sentences of

the pamphlet. "Yes," she said, "there is a sense in which I would like to make a new start. However—"

But the woman was saying something.

"What?"

"I said, are you alone? Do you feel lonely?"

She considered the questions. "I am alone but I do not feel lonely."

"Why don't you come to a little get-together we're having tonight? I have a feeling a person like yourself might get a lot out of it."

She considered that question. "I'm not sure what you mean by the expression 'a person like yourself.' Does that mean you know what I am like?"

But the woman's eyes were no longer looking directly at her. . . .²¹

Language bristles and glistens in such a passage. Having read it, we can no longer take language for granted.

Henry David Thoreau commented in his journal that the song of the wood thrush

affects the flow and tenor of my thought, my fancy and imagination. It lifts and exhilarates me. It is inspiring. It is a meditative draught to my soul. It is an elixir to my eyes and a fountain of youth to all my senses.²²

A few days later he wrote (about the same bird) that it

never fails to speak to me out of an ether purer than that I breathe of immortal beauty and vigor. He deepens the significance of all things seen in the light of his strain. He sings to make men take higher and truer views of things.²³

I use the quotation advisedly, although it applies to wood thrushes and not prose, because Thoreau's prose has precisely the same effect on me. I need meditative draughts to the soul and breaths of immortal beauty and vigor. I believe that most lawyers do.

Seeing Through a New Lens

The second fruit of reading literature is that it helps us to see things in new ways. It helps us to understand human problems in ways we could not have before. "[A] work of fiction can render with greater precision than any other instrument of knowledge both the lived experience and its wider moral import. This is largely because fiction has at its disposal that subtlest of probes, the imagined consciousness."²⁴

Literature helps us to imagine and metabolize experiences that we could not possibly have had ourselves. It makes us understand the universality of human experience, even that experience which is totally foreign to our own. The examples are unlimited, but I offer a few that come to mind. Toni Morrison's *The Bluest Eye*²⁵ recounts a father's rape of his child, who believes she is

ugly because she is black, and who descends into madness in her quest for blue eyes. Having read it, we understand the trauma of child abuse in a completely unfamiliar and haunting way. Edith Wharton's *Summer*²⁶ puts motherless children in a new light. *King Lear*²⁷ and its modern counterpart, Jane Smiley's *A Thousand Acres*,²⁸ make us think afresh about homicidal sibling rivalry and, at the other end, *Antigone*²⁹ describes sibling love beyond all understanding. Shakespeare's *Measure for Measure*³⁰ makes us rethink the spirit versus the letter of the law and hypocrisy in leadership. Walker Percy's *Lancelot*³¹ gives new insights into the mind of the criminally insane. Primo Levi's *Periodic Table*³² transports us to Europe in 1944, as does Kurt Vonnegut's *Slaughterhouse Five*.³³

Lawyers and judges need to understand the lives of the human beings they deal with. Samuel Johnson defines law as "human wisdom acting upon human experience for the benefit of the public."³⁴ Experience and wisdom are arguably the very stuff of our existence, both as lawyers and as humans. We glean a good proportion of our wisdom from our own experiences, but it seems pinched to limit "experience" and "wisdom" only to our direct experiences and the wisdom that we, unassisted, derive from them. Literature allows us to partake in the larger body of wisdom and experience. Those who have been given the gift of words (Charlotte Brontë, Thomas Hardy, Zora Neale Hurston, the Psalms poets, to name a few) offer to us in turn generous gifts of wisdom and experience. They do not paint simple, facile, reductionist heroes and villains, but rather they create messy, complex characters and situations. They give us access to the enormity of life.

No one does this better than Toni Morrison. In her novel *Beloved*, she creates an image of spinning. Her protagonist, Sethe, is haunted by the deed she committed: killing her baby girl as the slave-catcher approached. The baby's ghost haunts her house for years, hurling furniture and leaving handprints in the frosting on cakes. Without warning, Paul D, one of the other slaves on the plantation Sethe escaped from, arrives at her door. Sethe has begun to entertain, fearfully and tentatively, the notion of forgiving herself and allowing love in her life. In the "spinning" passage, a neighbor named Stamp has handed Paul D a newspaper clipping showing a picture of Sethe and recounting her crime. Paul D believes the story is a mistake and has shown Sethe the clipping.

She was spinning. Round and round the room. Past the jelly cupboard, past the window, past the front door, another window, the sideboard, the keeping-room door, the dry sink, the stove—back to the jelly cupboard. Paul D sat at the table watching her drift into view then disappear behind his back, turning like a slow but steady wheel. Sometimes she crossed her hands behind her

back. Other times she held her ears, covered her mouth or folded her arms across her breasts. Once in a while she rubbed her hips as she turned, but the wheel never stopped.

It made him dizzy. At first he thought it was her spinning. Circling him the way she was circling the subject. Round and round, never changing direction, which might have helped his head. Then he thought, No, it's the sound of her voice; it's too near. Each turn she made was at least three yards from where he sat, but listening to her was like having a child whisper into your ear so close you could feel its lips form the words you couldn't make out because they were too close. He caught only pieces of what she said—which was fine, because she hadn't gotten to the main part—the answer to the question he had not asked outright, but which lay in the clipping he showed her. And lay in the smile as well. Because he smiled too, when he showed it to her, so when she burst out laughing at the joke—the mix-up of her face put where some other colored woman's ought to be—well, he'd be ready to laugh right along with her. "Can you beat it?" he would ask. And "Stamp done lost his mind," she would giggle. "Plumb lost it."³⁵

The "spinning" passage is in the approximate center of the novel, the rest of which also loops and spins, giving us shard after shard of this staggeringly large story, piece after piece of its evil, and finally its love and redemption, because it is ungraspable in one chunk. None of us can have had this experience, but Toni Morrison gives it to us, a strong and disturbing gift.

Nurturing the Capacity for Astonishment, and Learning the Questions to Ask

Lawyers are in a profession that burns us out. We make phone calls while driving. We sign papers while talking on the phone. We eat food standing up. We are surrounded by whirring machines spewing paper that requires attention. We worry about finishing our work, about money, about making mistakes. We hear our clients' stories, but we become jaded. We feel ourselves "undying," rather than "being alive."³⁶ Literature can wake us up, make us smile, and restore wonder. It can make us look at ourselves closely.

I return to Walker Percy's *Second Coming* by way of illustration. Allison finds the house her aunt left to her, situated at the edge of a golf course, but it has been destroyed by fire, so she sets up housekeeping in its only intact part, a greenhouse. Will Barrett, a 55-year-old rich retired trusts-and-estates lawyer, hits a slice that breaks a window in Allie's greenhouse. He goes to retrieve the ball. Allie holds it out to him, and he identifies it as a Hogan. The following ensues:

"Hogan woke me up."

"What?"

"Hogan woke me up."

"Hogan woke you up?"

"It broke my window." She nodded toward the greenhouse.

"Which one?"

"Not those. At the end of my house, where I was sleeping. The surprise of it was instigating to me."

"Okay, okay. Will five dollars do it?" He fumbled in his pocket.

No answer. Eyes steady, hands still.

"Did you say your house?"

"Yes, it is my house. I live there."

There was a window broken in the lower tier. His slice could hardly have carried so far. . . .

"Okay, how much do I owe you?"

"It was peculiar. I was lying in my house in the sun reading this book." She had taken a book from the deep pocket of the jacket and handed it to him, as if to prove—prove what?—and as he examined it, a rained-out dried-out 1922 *Captain Blood*, he was thinking not about Captain Blood but about the oddness of the girl. There was something about her speech and, now that he looked at her, about her. For one thing, she spoke slowly and carefully as if she were reading the words on his face. The sentence, "I was lying in my house" was strange. "The surprise of it was instigating." Though she was dressed, like most of the kids here, in oversized men's clothes, man's shirt, man's jacket, there was something wrong—yes, her jeans were oversize too, not tight, and dark blue like a farm boy's. Yet her hair was cut short and brushed carefully, as old-fashioned as the book she was reading. It made him think of the expression "boyish bob."

"I was lying in my house reading that book. Then *plink, tinkle*, the glass breaks and this little ball rolls up and touches me. I felt concealed and revealed." Her voice was flat and measured. She sounded like a wolf child who had learned to speak from old Victrola records. . . .

Oh well. She was one of the thousands who blow in and out every summer like the blackbirds, nest where they can, in flocks or alone. Sleep in the woods. At least she had found a greenhouse.

As he turned away, gripping the three-iron with a two-handed golfer's grip and with a frowning self-consciousness which almost surprised him, she said, "Are you—?"

"What?" He cocked the club for a short clip and hung fire.

"Are you still climbing on your anger?"

"What?"

When he swung around, she was closer, her eyes full on him, large grey eyes set far apart in her pale (Yes, that was part of the oddness, not the thinness of her face but its pallor. Her skin was as white as a camellia petal yet

not unhealthy) face. Her gaze was steady and unfocused. Either she was not seeing him (Was she blind? No, or she'd have never found the Hogan . . .) or else she was seeing all of him because all at once he became aware of himself as she saw him, of his golf clothes, beltless slacks, blue nylon shirt with the club crest, gold cap with club crest, two-tone golf shoes with the fringed forward-falling tongues, and suddenly it was he not she who was odd in this silent forest, he with his little iron club and nifty fingerless glove.³⁷

This writing did not change my actions as a lawyer; it changed my thinking. What *was* he doing on that golf course? Who *is* the mad one? Walker Percy was a physician who repudiated his profession to become a writer. In *The Second Coming* both he and Will Barrett were trying to understand the central mystery of their lives: their fathers' suicides. The defamiliarizing relationship Will Barrett had with Allie made him ask questions like, "Am I doing something worthwhile? Am I living my life well? Am I doing good work?" These questions are crucial for lawyers. We are meant to live good lives, to be godly and compassionate. Reading good books keeps us focused on these questions. It keeps our vision elevated. It exercises our tired synapses. It expunges the trivial sound-bite.

As humanists we have certain seeds within us. If our souls are parched and shaded, those seeds will not blossom and bear fruit. Reading literature provides the sunshine and the water for those seeds. In his short story "The Hermit's Story,"³⁸ Rick Bass, after creating an utterly astonishing visual scene, muses, "It would be curious to tally how many times any or all of us reject, or fail to observe, moments of grace."³⁹ Literature gives us the wisdom to recognize the moments of grace in our lives. More than that, it gives us moment after moment of grace, until, suddenly, we find that we are living lives of grace.

1. Annie Dillard says the following in her book *The Writing Life* (Harper Perennial 1989):

A well-known writer got collared by a university student who asked, "Do you think I could be a writer?"

"Well," the writer said, "I don't know. . . . Do you like sentences?"

2. James Boyd White, *Telling Stories in the Law and in Ordinary Life: The Oresteia and "Noon Wine,"* in *Heracles' Bow: Essays on the Rhetoric and Poetics of the Law* 168 (University of Wisconsin Press 1985).
3. Benjamin Nathan Cardozo, *Law and Literature and Other Essays and Addresses*, reprinted in *Selected Writings of Benjamin Nathan Cardozo* 339 (Fallon Publications 1938).
4. *Id.* at 344.
5. *Id.* at 342.
6. *Id.* He was reacting to J. Mansfield's freeing a slave purchased in Virginia and brought to England: "The air of England has long been too pure for a slave, and every man is free who breathes it." *Id.* at 344.

7. *Id.* at 347. Justice Cardozo also discusses and condemns the cut-and-paste style, which he wryly calls "the tonsorial or agglutinative" style.
8. Admittedly, reading good books is only one step of a process that continues all our lives until we put down our pen for the last time. Another step in the process is deliberately to study matters of style. No source is better than White & Strunk's *Elements of Style*, which most lawyers need to pick up and read regularly. Another wonderful book is Henry Weihofen, *Legal Writing Style* (West Hornbook 1980).
9. Thomas Keneally, *Schindler's List* (Touchstone 1982).
10. Henry David Thoreau, *Journal* of June 22, 1852, in *Journal: The Writings of Henry D. Thoreau* (Princeton University Press), quoted in Lang Elliott, *Music of the Birds* 29 (Houghton Mifflin 1999). Please indulge me in this brazen anachronism. Thoreau actually used the phrase to describe the song of a wood thrush, and I return to it in the text presently.
11. Emily Brontë, *Wuthering Heights* (Norton 1963).
12. Don DeLillo, *White Noise* (Viking 1985).
13. Chris Adrian, "Every Night for a Thousand Years," reprinted in *Best American Short Stories of 1998* 83 (Houghton Mifflin 1998).
14. Jane Austen, *Northanger Abbey* (Signet Classic 1965).
15. A.S. Byatt, *Possession* (Random House 1990).
16. John Kennedy Toole, *A Confederacy of Dunces* (Louisiana State University Press 1980).
17. Rick Bass, "The Hermit's Story," reprinted in *Best American Short Stories of 1999* 1 (Houghton Mifflin 1999).
18. Walker Percy, *The Second Coming* (Ivy Books 1980).
19. *Id.* at 31.
20. *Id.* at 30.
21. *Id.* at 29-30.
22. Henry David Thoreau, *Journal* of June 22, 1852, in *Journal: The Writings of Henry D. Thoreau* (Princeton University Press), quoted in Lang Elliott, *Music of the Birds* 29 (Houghton Mifflin 1999).
23. *Id.* at 27 (*Journal* of July 5, 1852).
24. *New York Times Book Review*, August 22, 1993 at 10.
25. Toni Morrison, *The Bluest Eye* (Plume 1970).
26. Edith Wharton, *Summer* (Bantam 1993).
27. William Shakespeare, *King Lear*, in *Shakespeare, The Complete Works* 1136 (ed. Harrison, Harcourt, Brace & World 1952).
28. Jane Smiley, *A Thousand Acres* (Knopf 1992).
29. Sophocles, *Antigone* (Oxford University Press 1973).
30. William Shakespeare, *Measure for Measure* (Signet Classic 1988).
31. Walker Percy, *Lancelot* (Ivy 1977).
32. Primo Levi, *The Periodic Table* (Schocken Books 1984).
33. Kurt Vonnegut, *Slaughterhouse Five* (Delacorte Press 1969).
34. Mrs. Prozzi, *Anecdotes of Samuel Johnson* (1786), quoted in John Bartlett, *Bartlett's Familiar Quotations* 429 (1968).
35. Toni Morrison, *Beloved*, 159, 161 (Plume 1987).
36. e.e. cummings, "the great advantage of being alive (instead of undying)," in *A Selection of Poems* (Harvest 1965).
37. Walker Percy, *The Second Coming* at 68-70.
38. Rick Bass, "The Hermit's Story," reprinted in *The Best American Short Stories 1999* (Houghton Mifflin 1999).
39. *Id.* at 13.

Brooklyn Gender Fairness Committee

Hon. Marsha Steinhardt
Justice, Supreme Court
360 Adams Street, Room 935
Brooklyn, NY 11201
718-643-5127



Supreme Court Kings County

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Brooklyn, New York 11201
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Charles M. Troia
Iris Crose
Roderick E. Randall
Brenda Pantell
Karen Boyd-Gillen
Nancy Porter Hally
Jeanette Mercedes
Linda C. Hutcherson
Felicia A. Carter

MEMORANDUM

TO: Hon. Betty Ellerin, Chair
New York State Committee on Women in the Courts

FROM: Justice John M. Leventhal
Gender Fairness Committee, Second Judicial District
Chair, 1998 - 2001

RE: Activities April, 2001 - March, 2002

DATE: March 31, 2002

The Second Judicial District has had another busy year scheduling and sponsoring various programs.

WOMEN'S HISTORY MONTH

The Honorable Marsha Steinhardt, the new Committee Chair for the Second Judicial District, coordinated a wonderful program this year. On Tuesday, March 12, 2002, we presented the Ruth E. Moskowitz Award to past and future presidents of the Brooklyn Bar Association. The recipients included Vivian Agress, Esq., Miriam Cyrulnick, Esq., Lynne Terrelonge, Esq. (posthumously), and Nancy Sunshine, Esq. Speakers included Dean Joan Wexler, Dean of Brooklyn Law School, the Honorable Edward Rappaport, the Honorable Michelle Patterson, the Honorable Michael L. Pesce, the Honorable Marsha Steinhardt, as well as a representative of the Borough President's office. Hon. Edward Rappaport was the Master of Ceremonies. The presentations were followed by a light reception and the program was enjoyed by all

BRING YOUR CHILD TO WORK DAY

The Honorable Albert Tomei was again the Chair of the "Bring Your Child to Work Day" subcommittee. The program, held on April 26, 2001, involved the contribution of many court personnel throughout the building. Approximately 75 children were in attendance. Justice Michelle Patterson spoke to the older children, describing various jobs which are held here in the Supreme Court, including court reporters, court officers, judges and lawyers, and explaining the importance of each job. The

teenagers visited Justice Jo Ann Ferdinand's Drug Treatment Court, where she explained how drug abusers who commit low-level crimes are sometimes sent to treatment programs instead of jail. The Supreme Court Officers prepared a program for the younger children demonstrating the various security techniques that are used here at 360 Adams Street. This included showing how the magnetometers and hand scanners work. The kids had a great time with that. All the children were afforded the opportunity to have their photographs taken while dressed in judicial robes sitting on the bench. That is always a big hit with the kids. The children were also given a small package which included information on the Court system, the Jury system, etc. All in all, it was a splendid day.

DOMESTIC VIOLENCE AWARENESS MONTH

Judge Matthew D'Emic was again the Chair of October's DV Awareness Month subcommittee. This year's program was titled "Domestic Violence - A Prospective: Why Victims Fear the System". The presenters were Angela Lee and Karen Cheeks-Lomax, who performed a role-play skit addressing various issues concerning the interaction of DV victims and counselors. The program was well attended and we received very positive feed-back from the attendees.

We feel very good about the programs presented and the responses received during the 2001 year.

The committee has a new Chair, Hon. Marsha Steinhardt, effective February, 2002. She can be reached at Supreme Court, Kings County, 360 Adams Street, Brooklyn, NY 11201, telephone number (718) 643-5127. At the Women's History Month program in March 2002, the Committee, under the aegis of Chair Hon. Marsha Steinhardt, presented Hon. Michelle Patterson and Hon. John Leventhal, past Chairs, with small gifts in appreciation for their diligent and dedicated work on the Committee's behalf.

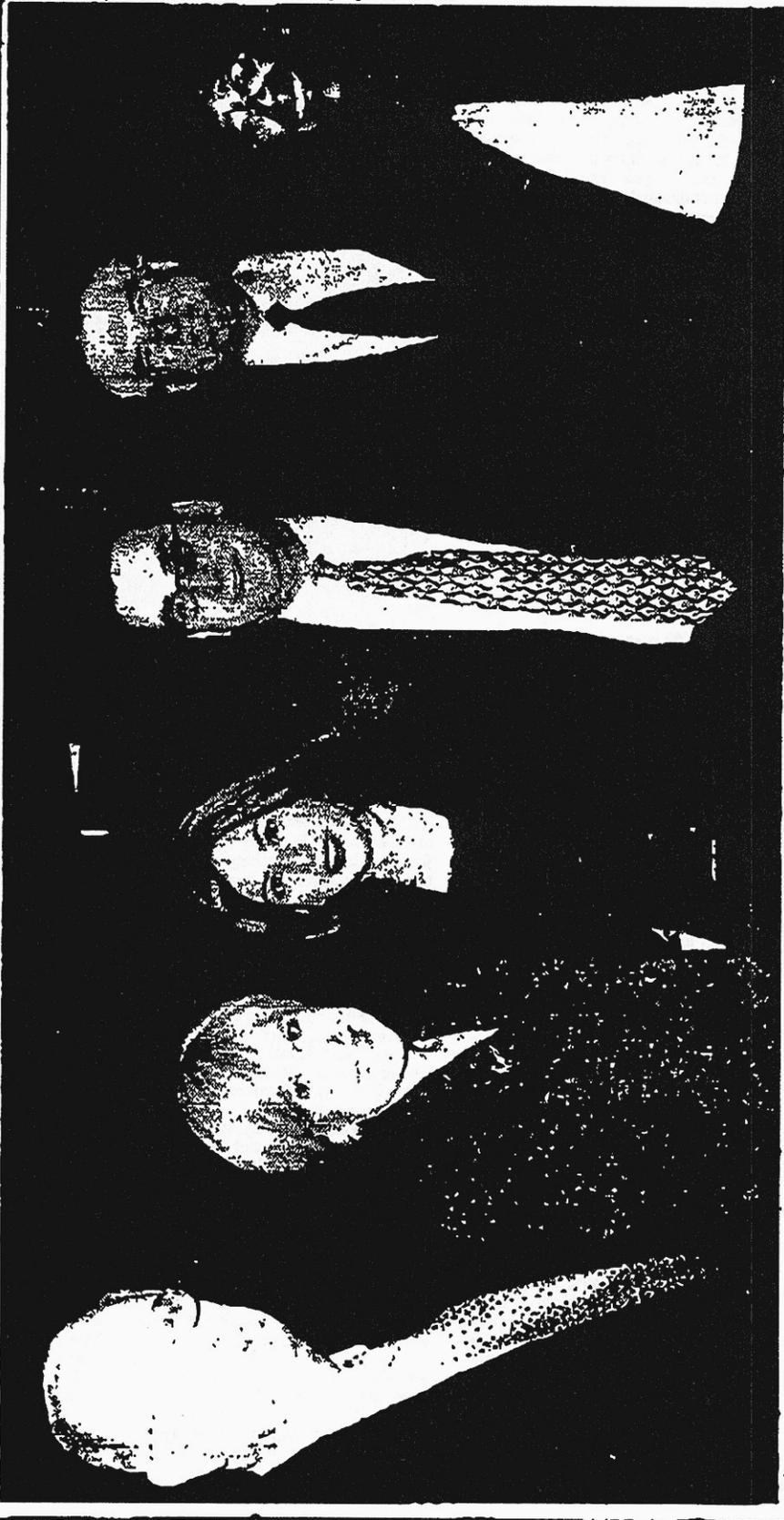
Brooklyn Daily Eagle

NO. 988 P. 4

& DAILY BULLETIN

Volume 47, No. 236 FRIDAY, MARCH 15, 2002 E-mail: edit@brooklyneagle.net

Founded in 1841 by 1



The first Ruth E. Moskowitz Awards brought the legal community together this week at Kings County Supreme Court. Pictured here: Justices Albert Tomel and Marsha Steinhardt with Hon. Ruth E. Moskowitz's children Leah, and Alan, husband Martin Gershon, and Hon. Michelle Weston Patterson, J.S.C. Kings County. Story, see page 14.

Eagle photo by Mario Belluorno

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By Nassim Brooklyn Da

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Moskowitz Awards Recognize Brooklyn Bar's Proud Women Leader

By Elizabeth Stull
Brooklyn Daily Eagle

ADAMS STREET — The Brooklyn Bar Association waited over 100 years to elect its first woman president, Vivian Agress, in 1986; and since then, about half of the presidents elected have been women.

Tuesday's presentation of the first Ruth E. Moskowitz Awards demonstrated how far women have come as leaders of the legal community, and how their ongoing contributions create a more just society for all.

The late Justice Ruth E. Moskowitz graduated at the top of her Brooklyn Law School class, despite being one of five female students in a class of 225. A lot has changed since then.

Under the leadership of Joan Wexler, first woman dean of Brooklyn Law School, the school has grown, moving from inadequate facilities on Pearl Street to its present location on Joralemon. Where once there were none, there are now 25 women law school deans at ABA-accredited schools nationwide.

"Things are great!" said Dean Wexler Tuesday, focusing on the dramatic changes for women over the past 28 years. Today, most law schools boast equal numbers of men and women students.

Things started to change, said the dean, when women scaled the heights of power and became law partners, CEOs. When those in power see their daughters going to law school, they look around and see their firms differently, they want to make some changes, so their daughters can have it all, she said.

"Remember those who are coming behind you. We have to be mentors, to look out for them, and help. They are the vision of the future. Do your part," she urged.

"I do a lot of traveling, but it's always a pleasure to come back to Brooklyn, what I call the home port," said Dean Joan Wexler.

While lauding women's progress, we should not forget that much remains to be done, suggested Lenore Baker, a founding member of the Women's Bar Association of New York (WBASNY). The first Women's Bar Associations were founded in the 1930s, she said, here in metro New York.

"In the 1970s, came the call for women to join a crusade," Baker continued, explaining how five groups united in a statewide organization, which has grown to 15 chapters, from Rochester to Long Island.

WBASNY influences legislation on issues involving surrogate motherhood, retirement benefits, and private clubs. They have recently addressed gender equality in the higher New York State courts. Although women make a strong showing on the Family Court bench, they are still under represented on the New York Supreme Court, which is the pool of those eligible for elevation to higher courts.

WBASNY also established the Commission of Women in the Courts (now chaired by Justice Betty Weinstein Ellerin) which established Gender Fairness Committees. "It is important to keep forging on," said Baker, "because there are still goals to be accomplished and obstacles to be overcome."

In 1986, Vivian Agress, Esq., overcame some sturdy hurdles by becoming the first woman president of the Brook-



Kings County Supreme Court Justices Albert Tomel and Marsha Steinhardt with Justices Ruth E. Moskowitz's Leah, Alan, and husband, Martin Gershon, and Hon. Michelle Weston Patterson, J.S.C. Kings County.



Moskowitz Award recipient Miri Cyruunik with Hon. Michael Pezresiding justice, Appellate Teru



Kings County Supreme Court Justices Edward Rappaport, John Leventhal (special honoree), and Marsha Steinhardt.



Kings County Administrative Judge Ann Pfau.



Hon. Marsha Steinhardt, J.S. Kings County, with special honoree Hon. Michelle Weston Patterson, J.S.C. Kings County.



Sandra Hirsch, accepting a Moskowitz Award for her mother, Vivian Agress, from Hon. Michael Pesce, J.S.C. Kings County; Hon. Marsha Steinhardt, J.S.C. Kings County, coordinated the program for Women's History Month.



Kings County Supreme Court Justice Edward Rappaport with Moskowitz Award winner Nancy T. Sunshine, acting president of the Brooklyn Bar Association.



Left: The late Lynn R. Terrelor Esq., first African American president of the Brooklyn Bar Association. Right: Vivian Agress, Esq., a woman president of the Brooklyn Bar Association.

lyn Bar Association. She earned her BA at New York University and her JD from St. John's University, where she helped Professor Whitney with his work on contracts and sales. She then entered her long and successful Brooklyn practice in elder law and real estate.

Sandra Hirsch, Esq., Agress's proud daughter, accepted the award for her mother, who was out of state. (Agress's other daughter became a doctor.)

"Law is a science that is natural for women," said Hirsch, because mothers lay down the first laws we come to know it is a natural extension to serve the greater community.

Miriam Cyruunik, Esq., served as the second woman president of the Brooklyn Bar Association from 1994-1995. "This award fills me with pride," she said, in her acceptance. "I am proud to be an attorney; to work in Kings County Supreme Court; to work for a smart and principled judge like Mike Pesce; and honored to have served as president of the Brooklyn Bar. And I am proud to accept an award named for a judge who served this court and this borough with distinction."

Last June, the late Lynn Terrelonge made history by becoming the first African American president of the Brooklyn Bar Association. Her presidency was cut tragically short when she died on February 3.

Terrelonge graduated Staten Island College cum laude and attended Rutgers University of Law. During her legal career, she worked with Brooklyn Legal Services and served as a legal secretary before entering private practice in elder law, estates, and trusts. She was especially expert on guardianships.

Terrelonge was active in numerous not-for-profit groups and taught in numerous settings. Her daughters, Latasha and Keisha, could not be present Tuesday, and long time friend Hon. Michelle Weston Patterson, J.S.C. Kings County, accepted the Moskowitz Award on their behalf.

"She worried about her legacy, being the first African American (president), but I know where she is, and she doesn't need to worry," said Patterson.

Nancy Sunshine, Esq., is the first acting president the Association has ever had. She will become president in June. Sunshine graduated from SUNY Stony Brook and earned her JD from Hofstra. She has served as law clerk to Justice Gloria Aronin, and is chief clerk of the Appellate Term, Second Department. She serves on the Mayor's Committee on the Judiciary, the Board of Directors for the Volunteer Lawyers Project, and as a NYSBA delegate.

Sunshine is married to Justice Jeffrey Sunshine, Staten Island, and has

two daughters, Jennifer and Sa. "The course of women's rights is thered by the leadership of women the legal community," said Sunshine. "Career and family are not mutually exclusive, but go hand in hand."

"We are fortunate to work together are fortunate to be Americans and lawyers, because as lawyers we live democracy. Family and career together honor both exponentially," she concludes.

Justice Michelle Weston Patterson first judicial chair of the Gender Issues Committee, and Justice John Leventhal, the Committee's only chair, received special recognition from the Amicus Curiae Association.

Justice Rappaport, master of ceremonies, acknowledged the presence of many, including Surrogate Judge Michael Feinberg and Amicus Curiae President Linda Carristo.

"We have looked back as well and forward as women," said Administrative Judge Ann Pfau in her closing remarks. "We have come so far, but never forget how far we have to go."

The Awards presentation was coordinated by the Brooklyn Supreme Court's Gender Fairness Committee chaired by Hon. Marsha Steinhardt, J.S.C. Kings County, in recognition of Women's History Month.

Photos by Mario Bellomo

Photo Courtesy of the Brooklyn Bar Association

First Ruth E. Moskowitz Awards



Justice Ruth E. Moskowitz, portrait of the Brooklyn courts' steel magnolia.

ADAMS STREET — Yesterday, four prominent Brooklyn attorneys received the Ruth E. Moskowitz Award. So, who was this Ruth Moskowitz? Brooklyn Justice Albert Tomei was befriended by Moskowitz when they were both students at Brooklyn Law School in the 1960s. At yesterday's ceremony, he shared his memories of a brave, formidable, and fragile woman. Moskowitz's widower Martin Gershon, Esq., took a front row seat with daughter, Brooklyn Assistant District Attorney Leah Gershon, and son, Robert Gershon, Esq., of Ramson Street. Another son, Joel Gershon, is a writer for *Mother Jones* in San Francisco. Justice Moskowitz was first elected to the bench in 1976, and in 1982 she

became a State Supreme Court Justice in Brooklyn, where she served proudly until her death from disease in 1996. After her 1992 diagnosis, she continued to sit and serve, even when she required Supreme Court Officer Kevin Carroll to carry her from car to courthouse. The spirit was willing, though the flesh was weak. For four years, Moskowitz's indomitable spirit overcame her physical condition, and she served at 360 Adams Street until the day before she slipped into a coma. She died 30 days later. Brooklyn expressed its appreciation for Justice Moskowitz's long and devoted service by reelecting her to another 14-year term — three days after she passed away in November

1996. (It was too late to remove her name from the ballot.) At the time, Glenn Rubenstein, a Brooklyn resident, commented, "Sometimes it's better to vote for someone who's dead than for someone you don't like." Justice Ruth Moskowitz died three days before the election, but still won. Yesterday, Justice Tomei recalled that when Justice Moskowitz was still a trial lawyer for Legal Aid, Justice Agio considered her "the best d-lawyer he'd ever seen." She was also recognized in the press as "Fortia of the Brooklyn Courts." Reprinted below, with permission, is Justice Tomei's eloquent tribute to Justice Ruth E. Moskowitz.

Women's History Month Tribute to Ruth Moskowitz

By Justice Albert Tomei
Special to the Brooklyn Daily Eagle

To me she was and always will be the picture of "Elegant Fragility," small of stature, always an inviting and radiating smile with those luminous blue eyes, Ruth Moskowitz may have appeared to be frail and vulnerable to the uninitiated, but underneath that exterior was the heart of a "judicial lioness."

Ruth, like the four women we honor today, was a giver, a contributor and a doer. She gave not only 100 percent, but more to her own immediate family, her friends, her community and of course to our legal community. She was one of the most respected and admired judges ever to grace the bench at 360 Adams Street. Whenever anyone appeared before Ruth in her courtroom they always left knowing that Lady Justice had been served.

She was admired and respected because she was knowledgeable without being pedantic, compassionate without being naive, and wise without being arrogant. She could not and would not suffer arrogance or pomposity in anyone, especially judges. She would always remark that she had been elected, not appointed, to serve the citizens of Brooklyn. And that she did without favor, fear or prejudice.

Her will to see to it that justice was fairly administered never wavered. Her judicial independence could

never be compromised.

In 1986 then-Mayor Koch tried, but failed miserably. Ruth had presided over a case where a number of city meter collectors were accused of stealing thousands of dollars. They pleaded guilty and Ruth promised them probation. The mayor was outraged and embarked on a public campaign to revile her and cower her. He went so far as to announce that on sentencing day he would appear in her court and argue on behalf of then-D.A. Holtzman for a more punitive sentence.

When that day came, the mayor strode into Ruth's courtroom with his "How-Am-I-Doing Smile," and sat up to the D.A.'s table in front of the courtroom. Ruth, unfazed and looking directly into the eyes of the mayor, said, "Mr. Mayor, now that you are in my courtroom and not the court of public opinion, I am going to order you to take a seat in the audience." She continued by further stating, "I've been hearing from you for the past two months, now it's time you heard from me." She then asked why he was devoting and lavishing so much time and attention on the "Little Wrongoers," when nary a word was heard from him about "the Big Boys" in his then scandal-plagued administration. The mayor, visibly upset, turned on his heels and left. Ruth then proceeded to impose the promised sentences.

Prior to Ruth's passing in 1996, we had been friends for some 35 years. We first met in 1961 when we entered

Brooklyn Law School. At that time Ruth was one of five women in a class of 225. Upon graduation she ranked sixth in the class. She was an outstanding student and a member of the Law Review. Why Ruth befriended me and took a struggling law student like myself into her study group I will never know, but I truly believe that without her help I wouldn't be standing here today.

Because of her "joie de vivre," Ruth actually made law school an enjoyable experience — now that's an oxymoron if I ever heard one.

While in law school I discovered that Ruth's impetus to become a lawyer had been forged in the fires of the Civil Rights Movement. Prior to attending law school, she had been a Freedom Rider. As a Freedom Rider she went to Jackson, Mississippi to integrate the lunch counters in that town. In attempting to do so she was arrested and incarcerated in the Jackson, Mississippi State Penitentiary and served cold baloney sandwiches. While in solitary she decided to become an advocate for those less fortunate than herself. Years later, that conviction was expunged from the record. As you can see Ruth was not simply a reader of history, she was a maker of history. She was always on the cutting edge of change.

In concluding, I would like to relate one brief and personal story about Ruth. Ruth, as I said, had a real love and thirst for life. That thirst was al-



Hon. Albert Tomei, J.S.C. Kings County, attended Brooklyn Law School with Justice Moskowitz.

ways accompanied by a hunger for good food — preferably Italian. While in law school she would constantly bug me about inviting her over to my mom's for a good Italian dinner. So one day I did. It was, I believe, the Thanksgiving holiday. My mom had prepared the usual pre-dinner antipasto like roasted peppers, marinated eggplant, pizza rustica, baked olives, shrimp greganese, etc. So after one hour of devouring these delicacies, my mom turns to her and says, "O.K., Ruth, now we are going to sit down for dinner." At that moment a pained look came across her face and she turned to me and said, "But Al, I thought that WAS dinner!"

As a woman for all seasons, Ruth's legacy and spirit is now embodied in these four handsome Ruth Moskowitz Awards.

Brooklyn Supreme Court Recognizes Women Leaders and Their Successes

By Elizabeth Stull
Brooklyn Daily Eagle

ADAMS STREET — Yesterday, Justice Michael Pesce presented the first Ruth E. Moskowitz Awards to the four women lawyers who have served as president of the Brooklyn Bar Association.

Justice Marsha Steinhardt, who succeeds Justice John Leventhal as chair of the Kings County Gender Fairness Committee, welcomed the large crowd of judges and lawyers to the Surrogate's Court at 360 Adams Street.

Justice Michelle Patterson became the first judge to preside over the Gender Fairness Committee. "To be sure that anyone who comes into the courtroom is treated fairly, regardless

of race or gender," she said.

The Awards ceremony recognized triumphs of women in the law, in celebration of Women's History Month.

"It was a lovely, touching ceremony. I was a little overwhelmed by parts of it," said Martin Gershon, Esq., of Brooklyn Heights, Justice Moskowitz's husband of many years. When Moskowitz started practicing as a Legal Aid attorney, she was the one token woman assigned to Bronx County, and then became the token woman assigned to Kings County.

Justice Rappaport, who served as Master of Ceremonies, recalled that when he graduated from law school in 1962, his class of 103 included three women. Today, the student body at many law schools is 50-60 percent female and women represent over 40

percent of the Brooklyn District Attorney's staff.

In addition, Justice Rappaport observed that his audience at the Brooklyn Supreme Court included equal numbers of men and women.

Brooklyn Law School Dean Joan Wexler, the first woman dean of the school, also focused on the positive changes professional women have achieved in the past 28 years.

Dean Wexler attributed the dramatic changes for women to the increasing numbers of women in leadership positions. "We're obviously doing it," she said, "and we can do it better."

"It is important to keep forging on, because there are still goals to be accomplished and obstacles to be overcome," said Justice Rappaport.

founding member of the New York State Women's Bar Association.

The four attorneys who received the Ruth E. Moskowitz Awards yesterday, Vivian Agress, Miriam Cyrunlik, Lynn R. Teitelzong, and Nancy T. Sunshine, have played an important and visible role in furthering women's equality in the courts and community by serving as the first women presidents of the Brooklyn Bar Association.

Justice John Leventhal, the only man ever to chair the Gender Fairness Committee, and Justice Michelle Weston Patterson, the first judge to chair the Committee, received special recognition awards.

For the rest of the story, with photos by Mario Belluomo, see an upcoming edition of the Brooklyn Daily Eagle.

Supreme Court
of the
State of New York



JOHN M. LEVENTHAL
JUSTICE

CHAMBERS
360 ADAMS STREET
BROOKLYN, N.Y. 11201
(718) 643-8490

June 12, 2000

Hon. Betty Ellerin, Chair
NYS Judicial Commission on
Women in the Courts
25 Beaver Street Room 878
New York, NY 10004

Hon. Juanita Bing Newton
Deputy Chief Administrative Judge
For Justice Initiatives
25 Beaver Street Room 1128
New York, NY 10004

Dear Judges Ellerin and Newton:

This letter is to respond to the recent Domestic Violence Awareness Month materials that each of you had sent me as Chair of the Gender Fairness Committee, Second Judicial District. Judge Matthew D'Emic is Chair of the DV Awareness Month subcommittee.

The activities in Brooklyn for October have been planned as follows:

October 11, 2000: Main Court event during the lunch hour. Program will tentatively include a rendition of a poem re DV from a professor of John Jay College. A DV skit by high school students who are victims of or have witnesses DV first hand. In addition, we will have one or two speakers for the event including a victim of domestic abuse.

October 18, 2000: A CLE program at the Brooklyn Bar Association, sponsored by the Brooklyn Bar, Kings County Criminal Bar Association, Brooklyn's Women's Bar Association and the Gender Fairness Committee of the Second Judicial District.

October 20, 2000: There will be a closed program for victims of Domestic Violence. Izetta Johnson, Supreme Court Analyst and Emily Sack, Esq. the Director of DV and Family Court Programs

of the Center for Court Innovation will run a job training/skills program i.e., dress for success, job interview techniques, etc.

There will be two additional days selected for the showing of one or two films on Domestic Violence.

The Court program and CLE will receive local newspaper coverage.

Judge John Leone will run a parallel program in Staten Island.

Sincerely,



John M. Leventhal
Chair, Gender Fairness Committee
Kings County, 2nd Judicial District

JML:lch

cc: Hon. Michael L. Pesce
Hon. Cheryl Chambers
Hon. Matthew D'Emic
Hon. John Leone
James Imperatrice, Chief Clerk
Jill Goodman, Esq.

The purpose of the forum and other planned events, according to Terese Hunersen of the Junior League of Central Westchester, "is to set an example where the problem is ignored or (people believe) it just doesn't exist, in places like Scarsdale."

The organizers are to be commended; other communities that haven't collectively faced family violence are encouraged to follow the village's lead. If it can happen in Scarsdale, it can happen anywhere.

BROOKLYN DAILY EAGLE & BULLETIN
Friday, October 19, 2001
p. 12, col. 1

Why Women Fear the System: Domestic Violence Victim's Perspective

By Elizabeth Stull

Brooklyn Eagle

ADAMS STREET - Her name was Lola. She was not a showgirl. All we know about her is what a frightened little girl overheard one night.

Lola's little girl was living a nightmare. She watched her mom get hurt and cry, night after night. She couldn't help. And nobody was listening. So this brave daughter of domestic violence secretly tape-recorded a fight, to make someone believe her.

The audiotape of Lola arguing with her abusive husband demonstrates why women sometimes fear the law enforcement system - or, more accurately, what happens when it can't protect them.

Furious that Lola went to the police and let them photograph her, the male voice says she will be "s --- on-a-stick" if she goes back, that he'll kill her and any cops who try to arrest him. Frightened and confused, Lola soothes, "oh, they won't arrest you."

Why did she go? She was afraid he'd kill her, without intending to. "Oh, if I meant to kill you, I would have," he answers.

On the tape, the man actually lists several family members who might support Lola; but she starts crying because, she says, he hates her. "I never said that," he yells; "I don't have to say that."

The tape stops when a baby cries and the man hollers, "shut up!"

A few weeks later, the man shot Lola in the head, on the street where they lived. The tape has become a testimony of Lola's pain and a memorial of her struggle. It helped put away her killer and continues to teach law enforcement officers about domestic violence.

* * * * *

Angela, a Chinese woman, has a restraining order against her husband. The lawyer said it will protect her. But the translator said that without grocery money from her husband, her family will be broken up. Chinese women must keep the family together.

She is here on his visa. Her mother, in China, chastised her for criticizing her husband, saying that without him, she would have to leave America. Her mother-in-law says that she has only brought suffering and shame to her family since she arrived in this country, that she gives her husband a bad name and the ancestors will never forgive her.

Last night; her husband punched her and dragged her by her hair. She ran outside, and a neighbor called the police. It was not even she, who called the police; but maybe she shouldn't have run out, she thinks, maybe she should stay and let him do what he has to do.

* * * * *

"I am only here because of my girls," said Sabrina, a tall black woman.

She does not trust the system, that does not look like her and barely sees her. She has been raped and hungry. But now she is afraid for her daughters; her gifts, and she has waited all day in family court for a 5-minute interview with a white judge who does not ask for her story, who does not even look her way, talking only to the lawyer.

All day, she sat across the room watching her abusive husband watch her. She has seen black and brown people, like her, go into the rooms and stumble out looking more baffled than before. Just before 5 o'clock, she stumbles out of the judge's part, feeling more confused than ever.

How Can We Help?

"What can a lawyer say?" asked a young woman at Wednesday's program, "A Perspective: Why Victims Fear the System." Women often just want a listener, options and choices, said Karen Cheeks-Lomax, of My Sister's Place. Battered women tend to lead very narrow lives, and this decision may be the only thing she controls.

"Isn't there some way to prevent victims from falling through the cracks before [the violence] escalates?" asked a concerned man. Without the victim's testimony, these cases are hard to prosecute; and there is an ongoing relationship that conviction doesn't sever, observed Wanda Lucibello, chief of the Kings County District Attorney's Special Victim's Unit.

"These are the decisions we struggle with every day," said Lucibello, who suggested that lawyers consider alternatives to litigation.

Making a safety plan for the victim to get out of the life-threatening situation; identifying a support network; and recognizing the pattern of abuse can be important steps to stopping the violence.

"There's a dichotomy," one man observed, "between the woman's independence and the mandatory arrest/no-drop policies of the police and district attorney's office."

"A pure no-drop policy may be impossible," Lucibello acknowledged; "we need evidence to go forward."

Involving the Defendant

A material witness warrant is one way to prosecute without the victim's cooperation. Former Assistant District Attorney Angela Albertus, director of the Mayor's Commission to Combat Family Violence, twice summoned victims to the stand even after subpoenas were not answered.

"In each case, the defendant pleaded guilty to a felony and got jail time," she said. "It helps when the DA explains the state's interest in the case, that the man is a danger to the community."

The judge told both the man and woman that she had to tell the truth about what happened, or go to jail herself. One man, who beat his wife with a machete, pleaded guilty and went to jail for four to eight years. She visited him daily at Riker's, and may still visit; but she is safe, and has time to get counseling and even leave the state.

"Where the defendant clearly creates a danger, something has to be done; if he robbed an ATM, the state has an interest in removing him from the street," said Albertus.

If the abuser understands the state, not the woman, will come after him, it may, stop him from following her. Despite the menacing threats recorded by Lola's daughter, abusers may respond to state intervention.

"Speaking to both sides has a great deal to do with preventing abuse," said a representative of Walk the Walk, an elder abuse prevention group.

No one said the state could protect a woman in her own home, however; state intervention seems most effective when the victim is ready to stop being a victim and leave the relationship.

Counseling and advice may help her find the way out, but it will ultimately be her decision.

Her name was Lola. She did not survive.

But her attempt to get help lives as an inspiration to all those who hope to help victims of domestic violence to help themselves.

Administrative Judge Michael L. Pesce and the Second Judicial District Gender Bias Committee, Hon. John Leventhal, chair, and Domestic Violence Awareness Month Sub-Committee, Hon. Matthew J. D'Emic, chair, sponsored the program. Justices Lewis, Feldman, and Douglass were among over 60 attendees.

Need help? Call a 24-hour, toll-free hotline: 800-621-HOPE (Safe Horizon); or the Asian Women's Center 888-888-7702.

NY POST
Saturday, November 3, 2001
p. 11, col. 5

Sharp security lapse in court

A wife-bent on proving a point in her divorce case managed to smuggle two knives into state Supreme Court in Brooklyn this week, sources told The Post.

The woman whipped the knives out of her purse in matrimonial court Tuesday, presenting them as the weapons her husband had used against her, sources said.

The incident sent court personnel - on alert since the World Trade Center attack - reeling.

The woman, whose identity was withheld, had managed to get through not one, but two x-ray machines and two metal detectors - one each at the entrance of the downtown Brooklyn courthouse

BROOKLYN DAILY BULLETIN
Wednesday, March 13, 2002
p. 12, col. 1

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By Elizabeth Stull

Brooklyn Daily Eagle

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"It is important to keep forging on, because there are still goals to be accomplished and obstacles to be overcome," said Lenore Kramer, Esq., a founding member of the New York State Women's Bar

Association.

The four attorneys who received Ruth E. Moskowitz Awards yesterday, Vivian Agress, Miriam Cyrulnik, Lynn R. Terrelonge, and Nancy T. Sunshine, have played an important and visible role in furthering women's equality in the courts and community by serving as the first women presidents of the Brooklyn Bar Association.

Justice John Leventhal, the only man ever to chair the Gender Fairness Committee, and Justice Michelle Weston Patterson, the first judge to chair the Committee, received special recognition awards.

For the rest of the story, with photos by Mario Belluomo, see an upcoming edition of the Brooklyn Daily Eagle.
