



WESTCHESTER COUNTY BAR ASSOCIATION NEWSLETTER

March 2005



President's Message

By Hon. Sam D. Walker

The Bar Association will be hosting its Annual Membership Meeting on March 17, 2005 at the Scarsdale Golf Club. The meeting will commence at 6:00 P.M. with a cocktail reception, after which we will conduct the

business of the Association followed by our recognition of and tribute to our 50 Year Members. I hope that as many of you who are able will attend. The cost is only \$35.00 this year, thanks to the sponsorship of Citibank. We will also be giving our First Annual RAISING THE BAR AWARD to Jeffrey A. Reich and Bernice E. Margolis, Co-Chairs of our New Lawyers Section.

I would like particularly to encourage our Local and Specialty Bar representatives to support and attend this meeting. We have always recognized the value that you bring to our meetings and we truly appreciate your contributions. While we understand that full attendance may not always be possible, we do expect you to attend as many meetings as you can. We look forward to seeing you on March 17th.

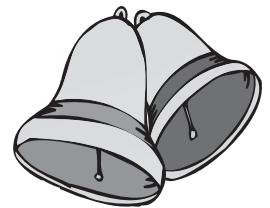
At the Annual Membership Meeting, we will be proposing an amendment to our bylaws reducing the number of past-presidents attending board meetings. The purpose of this amendment is to keep the number of attendees at our board meetings at a manageable and productive level. Including the past presidents, local bar leaders and elected Board members, our Board already exceeds 40. This amendment would only allow the immediate past president and the two past presidents immediately preceding him/her. All other past presidents may be invited to attend board meetings at the discretion of the President. This amendment, however, does not apply to the current past presidents who will continue to be invited to all board of directors' meetings.

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House of Delegates to Vote on Same Sex Marriage

On April 2nd, 2005 the NYSBA House of Delegates, the governing body of the New York State Bar Association to which the WCBA sends six representatives, will vote on the issue of same sex marriage. The question is whether the NYSBA should take a position, both publicly and with the New York State Legislature. The following letter was sent to all members of the WCBA, soliciting their opinions on the issue in order to determine the position the WCBA should take in this vote.

The NYSBA President appointed a Special Committee to Study Issues Affecting Same-Sex Couples in March of 2003. The Committee undertook a comprehensive review of the legal rights and obligations of same-sex couples, recognizing that as lawyers the Committee could best contribute to this topic by developing a legal foundation to be used as a resource. The Committee delivered its report which consists of four parts. It is available on the NYSBA website, NYSBA.ORG.



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***You are Cordially Invited
to the
WCBA 2005 Annual Meeting for Members***

**March 17, 2005 at 6:00 p.m.
at the Scarsdale Golf Club in Hartsdale, NY**

Cocktail Reception with passed hors d'oeuvres, complimentary beer, wine & soda

Dinner Meeting starts at 7:00 p.m. and features:

A Full Buffet Dinner with carving stations

The Election of Officers and Directors

Election of Members of the Nominating Committee

50 Year Awards and Certificates of Appreciation

and the First Annual "Raising the Bar Award" to be presented to the New Lawyers Section

The cost this year is only **\$35 per person**, thanks to the kind sponsorship of **Citibank**

FIRST 20 MEMBERS OF THE NLS WHO REGISTER IN WRITING COME FREE

Invitations and Response Forms were mailed in February

Mea Culpa

The notice sent to members for the Annual Meeting contained a misspelling and we wish to apologize to Board Nominee Robert L. Byrne for our error.

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A Step Toward Ending Breed Discrimination

By Irene Dillon, Esq.*

A proposed change to the New York State Insurance Law would prohibit insurers from discriminating against homeowners and renters based on the breed of dog they own. Bills introduced in the Assembly and Senate (A01824, sponsored by Assemblymember Deborah J. Glick; and S1895, sponsored by Senator Joseph Robach) would amend the Insurance Law to prohibit insurers from refusing to issue or renew, cancel, or impose an increased premium or rate in a homeowner's liability insurance policy based on the ownership of a specific breed of dog, or a dog mixed with a specific breed.

This amendment would be an important step towards ending "breedism," as well as unfair and illogical insurance practices. This is a real issue for people who live with dogs. Currently, insurers are allowed to discriminate against owners of certain breeds of dog, including Pit Bull Terriers, Doberman Pinschers, Rottweilers, and Chows, regardless of the particular dog's temperament and history. Although prohibiting



determinations based on breed, the proposed legislation would allow insurers to refuse to issue or renew a policy, or impose higher premiums, upon the designation of a dog of any breed or mixture of breeds as a "dangerous dog" under the law, based on sound underwriting and actuarial principles reasonably related to actual or anticipated loss

The New York Agriculture and Markets Law defines a "dangerous dog" as any dog which (i) without justification attacks a person, companion animal, farm animal, or domestic animal and causes physical injury or death, or (ii) behaves in a manner which a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to one or more persons, companion animals, farm animals or domestic animals or (iii) without justification attacks a service dog, guide dog or hearing dog and causes physical injury



or death. (Agriculture and Markets Law § 108(24)(a)). A dangerous dog determination requires a finding by a municipal judge or justice, with a "clear and convincing evidence" standard of proof for the person making the complaint, and the dog owner

has the right to appeal the determination. (Agriculture and Markets Law § 121). Clearly, the focus of the dangerous dog law is, as it should be, on the behavior of an individual dog, rather than its breed. The proposed Insurance Law amendment would require the same focus on an individual dog's behavior for insurance coverage determinations.

The bills have been introduced in both the Senate (February 4, 2005) and the Assembly (January 21, 2005), and have been referred to the Committee on Insurance. Similar bills have been considered, but not passed, in previous legislative sessions. For additional information regarding this important proposed change to the Insurance

Continued on Page 13

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Significant Personal Injury & Medical Malpractice Settlements in 2004

- \$ 6,250,000.00: **Medical Malpractice** - Brain Injury to mother of three (Westchester Cty)
- \$ 1,550,000.00: **Medical Malpractice** - Epidural - Spinal Cord Injury (Stamford Superior Court)
- \$ 900,000.00: **Medical Malpractice** - Severed spinal cord during surgery resulting in death (Westchester Cty)
- \$ 700,000.00: **Motor Vehicle Accident** - Compression fracture L2, ORIF, Scar (Rockland Cty)
- \$ 600,000.00: **Motor Vehicle Accident - Wrongful Death** - 27 y/o single woman, no children (Westchester Cty)
- \$ 490,000.00: **Medical Malpractice**—Unnecessary surgeries resulting in damaged kidney (Westchester Cty)

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presents

**The Effects of Domestic Violence
on Children:
The Legal and Psychological Perspectives**

Thursday, April 28, 2005
6:00 PM - 8:30 PM

New York State Judicial Institute
Pace University School of Law

Welcome and Introduction by
Susan L. Pollet, Esq.
Executive Director, Pace Women's Justice Center

Hon. Daniel D. Angiolillo
Justice of the Supreme Court, Associate Justice of the Appellate Term

Hon. Joan O. Cooney
Supervising Judge of the Family Court, Ninth Judicial District

Dr. Kathleen McKay
Coordinator, Court Assessment Program, Westchester Jewish Community
Services

Alayne Katz, Esq.
Law Office of Alayne Katz, P.C.
Cost - \$35 (Includes Dinner and 2 CLE Credits)

RSVP: Pace Women's Justice Center, Attn: James Bavero, (914) 422-4069



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County Wins When WCBA Members Pitch In

By Aaron Banks, Outreach Coordinator

The Westchester County Bar Association wishes to thank all members who responded to our call for volunteers to preside as judges during this year's high school Mock Trial Competition. The response from our members has been overwhelming! In the next Newsletter we will thank personally all member participants who "presided" during our sponsorship of this annual high school event.

It is unfortunate we are unable to utilize everyone who offered their time, energy and expertise and we hope that if you were not included you will contact us in December as we gear up for next year's competition.

Because you, our members, have responded so generously and with such enthusiasm to our calls for participation in Mock Trial and other events, we are exploring ways to develop other forms of school and community outreach activities and programs. If any member would like to join in planning ways this can be done or has any suggestions or would like to participate in other outreach activities and programs, please contact Joseph Villanueva, Esq. at joseph@villanuevalaw.com, or Aaron Banks here at the WCBA at outreach@wcbany.org or at 761-3707 ext. 11.

Again, thank you members!

Mock Trial Kicks Off!

By Joseph P. Villanueva, Esq.

With more than 400 participants from 32 local high schools competing for the title of best trial team in the County, the Westchester County Bar Association has once again taken on the Herculean task of coordinating the county's Annual High School Mock Trial Competition. Supporting youth education, Webster Bank and Vice President David Ganis, Branch Manager of Webster's Rye office, have generously sponsored the WCBA's Annual Mock Trial Competition.

"Lending our support to the kids is a top priority," said Ganis. "As the Rye Branch Manager, I have a first hand look into how banking and the law are intertwined. If this competition inspires one child to pursue either endeavor then it was all worth it. We are here to let the public know that we are a community oriented bank and will treat our customers as if they are family."

The competition runs from February to April and gives high school students first hand experience in trying a case. Judges preside over the trials which are heard in Westchester County Supreme Court, and winners of the County competition go on to compete in regional and possibly in statewide finals.

This year marks the first time that the competition has been sponsored. The Bar is extremely appreciative of the sponsorship.

Chair of the Community Outreach Program, Joseph P. Villanueva, Esq. stated, "Webster Bank came through in a big way. They have shown their commitment to the Bar, the community, and the kids."

David Ganis
Branch Manager
Vice President

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L to R: Joseph P. Villanueva, Esq., WCBA Board Member and Chair of the Community Outreach Program, David Ganis, Vice President & Rye Branch Manager, and Sabrina Stepanian Financial Supervisor of Webster Bank, Sponsors

Mark Your Calendars

Come Join Us!!

**WCBA Invites You to Attend Our
First General Membership Lunch Meeting**
Networking & Membership Lunch in the Jurors' Lounge,
First Floor of the Courthouse

Our Guest Speaker and Co-host will be

**Hon. Francis A. Nicolai,
Administrative Judge, Ninth JD**

Speaking on the State of the New Courthouse Facilities

Date: Wednesday, April 20, 2005

Time: 12:30 p.m. – 2:00 p.m.

Place: Westchester County Courthouse,

111 Dr. Martin Luther King, Jr., Blvd. White Plains. NY

Cost: \$10.00 WCBA Members \$20.00 Non-Members

****FREE for our Members Who Joined
the WCBA this year 2005!!**

*Look for your Invitation by E-mail or Use your
Newsletter CLE Registration Form to RSVP*

March 16, 2005

Michael Jacobson, Soref Fellow of the
Washington Institute for Near East Policy
speaks on the

“International Terrorist Threat Today: What We Can Learn From the 9-11 Plot.”

Mr Jacobson previously served as counsel for the
9-11 Commission. In addition, he was counsel to
the Congressional 9-11 investigation, where he
was assigned to the team assessing
the performance of the FBI.

For reservations and information,
contact Carol Lehrer at 1.914.761.5100, ext. 131
or lehrerc@ujafedny.org.

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WCBA CLE CALENDAR OF EVENTS

Unless otherwise indicated, approved New York CLE credit types for each seminar will be determined as seminar materials are prepared. If you have any questions please call (914) 761-3707 ext. 13. (T) indicates program which qualifies as Transitional for newly admitted attorneys.

MAR. 10, THUR. LABOR & EMPLOYMENT COMMITTEE and ALTERNATIVE DISPUTE RESOLUTION

COMMITTEE

Chairs: William D. Frumkin, Esq., Edward F. Beane, Esq. Ruth Raisfeld, Esq.
Topic: **“Mediation of Employment Discrimination Suits” (T)**
Speaker: Michael Bertty: Director of the EEOC Mediation Program New York District Office
Place: Laguna Restaurant **Time: 5:30 p.m.-7:30 p.m.**
189 East Post Rd. White Plains Price: \$35.00 Mem./ \$50.00 Non-Mem.
2 Credits Skills (Incl. light supper)

MAR. 14, MON. ELDER LAW COMMITTEE

Chairs: Anthony J. Enea, Esq. & Antonia J. Martinez, Esq.
Topic: **“SSI, SSD, Community Medicaid and Pooled Trust” (T)**
Speaker: Joan Lensky Roberts, Esq. & Frances M. Pantaleo, Esq.
Place: Berkeley College **Time: 8:00 a.m. – 10:00 a.m.**
99 Church St. Rm 315 White Plains Price: \$25.00 Mem./ \$35.00 Non-Mem.
2 Credits Professional Practice (Incl. breakfast) **Sponsor: Bill Nugent / Wells Fargo**
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MAR. 15, TUES. CONSTRUCTION LAW COMMITTEE

Chairs: Thomas H. Welby, Esq.
Topic: **“Lien Law Trust Funds” -T**
Speakers: Joseph R. Harbeson, Esq.
Place: Dooley Mac’s (parking in rear) **Time: 5:30 p.m. – 8:00 p.m.**
179 Mamaroneck Ave, White Plains Price: \$35.00 Mem./ \$50.00 Non-Mem.
2 Credits of Skills (Incl. dinner) **Sponsor: Madison Abstract Inc.**

MAR 22, TUES. MUNICIPAL LAW SECTION W/ ENVIRONMENTAL LAW COMMITTEE

Chair: Carol Van Scoyoc, Esq.
Topic: **“Storm Water Regulations”**
Speaker: Robert Feller, Esq.
Place: Vintage Restaurant, 171 Main St., White Plains **Time: 12:30 p.m. – 2:30 p.m.**
(Across from Macy’s w/ Parking in Galleria Mall) Price: \$35.00 Mem. / \$45.00 Non-Mem.
1 Credit of Professional Practice (Incl. lunch)

MAR 31, THUR. NEW LAWYERS SECTION

Chairs: Jeffrey A. Reich, Esq. & Bernice E. Margolis, Esq.
Topic: **“Pretrial 101: Preparation for Swimming with the Sharks” (T)**
Speakers: Bernice E. Margolis, Esq. & William H. Groner, Esq.
Place: Berkeley College Room 301 **Time: 5:00 p.m. – 7:00 p.m.**
99 Church St., White Plains Price: \$15 WCBA New Lawyer Mem.
2 Credits of Professional Practice (Incl. light supper) Price: \$25 WCBA Mem./ \$35 Non-Mem.

APR. 6 WED. CRIMINAL LAW SECTION

Chairs: Susan M. Capecci, Esq. & Richard L. Ferrante, Esq.
Topic: **“DWI: Everything You Want to Know About the Use of Breath Instruments in Westchester County.” (T)**
Speaker: Betsy Spratt, Chief of Toxicological Services, Westchester County Forensic and Toxicology Lab
Place: Dooley Mac’s (parking in back) **Time: 5:30 p.m. – 7:00 p.m.**
179 Mamaroneck Ave, White Plains Price: \$30 Mem./ \$45 Non-Mem.
1 Credit Skills (Incl. light supper) **Sponsor: Robson Forensics**

APR. 8 FRI. REAL PROPERTY SECTION

Chair: Ira S. Goldenberg, Esq.
Topic: **"Business Judgment Rule" & "Law of Transfer Agency"**
Speakers: Eric Koster, Esq. & Ira S. Goldenberg, Esq.
Place: Laguna Restaurant
189 East Post Rd White Plains

Time: 8:00 a.m. – 10:00 a.m.
Price: \$25.00 Mem./ \$35.00 Non-Mem.
Sponsor: CEO Title Agency, Inc.

1 Credit Skills & .5 Ethics (Incl. breakfast)

APR. 11, MON. ELDER LAW COMMITTEE

Chairs: Anthony J. Enea, Esq. & Antonia J. Martinez, Esq.
Topic: **"Revoking an Irrevocable Trust" (T)**
Speaker: Joseph Accetta, Esq. and Michael J. Amoruso, Esq.
Place: Sterling Glen of Rye Brook (914)-935-4969
1200 King St. Rye Brook, NY

Time: 8:00 a.m. – 10:00 a.m.
Price: \$25.00 Mem./ \$35.00 Non-Mem.
Sponsor: Sterling Glen

2 Credits Professional Practice (Incl. breakfast)

APR. 14, THUR. NEW LAWYERS SECTION

Chairs: Jeffrey A. Reich, Esq. & Bernice E. Margolis, Esq.
Topic: **"The Trial: What you Need to Know Before Jumping in the Deep end" (T)**
Speaker: William H. Groner, Esq.
Place: Berkeley College Theater Room 3rd Fl.
99 Church St., White Plains

Time: 5:00 p.m. – 7:00 p.m.
Price: \$15 WCBA New Lawyer Mem.
Price: \$25 WCBA Mem./ \$35 Non-Mem.

1.5 Credits Prof Practice & .5 Credits Ethics (Incl. light dinner)

APR 18, MON. TRUSTS AND ESTATES SECTION

Chair: Gary E. Bashian, Esq.
Topic: **"Viability of Marital Agreements in Estate Practice: Beware of the Right of Election; Life Insurance and Shares of an Estate to Children in Separation Agreements; and Pre-Nups and Post-Nups" (T)**
Speakers: Rita Gilbert, Esq. and Frank Streng, Esq. Moderator: Gary E. Bashian
Place: Vintage Restaurant 171 Main St., White Plains
(Across from Macy's w/ Parking in Galleria Mall)

Time: 5:00 p.m. - 7:15 p.m.
Price: \$35.00 Mem./ \$50.00 Non-Mem.
Sponsor: Hudson Valley Bank

2 Credits of Professional Practice (Incl. dinner)

Please register in advance when possible. Registrations later than 3 p.m. of the business day PRIOR to the seminar , or TWO days prior to a breakfast meeting, will incur a \$10 late fee and will be seated and provided written materials ONLY if space is available.

oo

**Westchester County Bar Association
Continuing Legal Education Registration Form**

Fax: (914) 761-9402 or Mail: 300 Hamilton Ave., Suite 301, White Plains, NY 10601

<u>CLE Title</u>	<u>Date</u>	<u>Time</u>	<u>Fee</u>
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_____	_____	_____	\$ _____

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Are you a WCBA member? _____ If not, would you like to join and pay for this at the member rate? _____

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Members Learn about Trademark Availability and Registration

On January 18, 2005 the Intellectual Property Section met at Vintage Restaurant to hear speakers Lawrence Berglas, Esq., and David Jolicouer of Thomson & Thomson speak about trademark availability and registration and how to apply for a trademark. The program was generously sponsored by Lexis Nexis.



R to L: Dan Zilker, of Lexis Nexis, David Menken, Esq., Co-Chair, David Jolicouer, Speaker, and Lawrence Berglas, Esq., Speaker

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In Part I, the Committee reviewed the legal treatment of married and same sex couples and outlines the differences. The Committee found that while same-sex couples can take legal steps to provide themselves with benefits that are automatically conferred upon married couples, not all benefits can be made available and others can be made available only by utilizing more difficult and expensive mechanisms.

Part II of the report includes a history of marriage, particularly within the United States, recent legal history with respect to same-sex couples, again particularly within the United States, but also including other countries; other approaches that have been taken in jurisdictions to provide rights to same-sex couples such as domestic partnerships and civil unions; and a discussion of the Defense of Marriage Act ("DOMA") and the state enactments ("mini-DOMAs") in place in 39 states.

Part III of the report contains an analysis of the constitutional questions implicated with respect to the rights of same-sex couples, including a discussion of the state of the law in New York; the constitutional issues involved; an analysis of both state and federal equal protection and due process constitutional provisions; and DOMA, mini-DOMAs, and the full faith and credit

provisions of the Federal Constitution.

Finally, Part IV contains the Committee's findings and recommendations, and here the issue becomes complicated. Nine members of the Committee concluded that because of the differences in how the law treats same-sex and opposite sex couples and the inability of same-sex couples to equalize those differences, the State Legislature should enact comprehensive legislation to extend to same-sex couples the rights now extended to opposite sex couples and that the three comprehensive options that are available are domestic partnerships, civil unions and marriage. Of these nine Committee members, five members would recommend that the Legislature adopt legislation that expressly authorizes same-sex couples to marry under New York's civil marriage statute, and four members believe that the selection of a particular option is a matter of public policy that should be determined by the State Legislature.

Three members of the Committee dissented, concluding that the Association historically has avoided taking positions on questions of social or public policy and should not, in this instance, adopt a position that expresses any policy judgment or any preference or recommendation whether the Legislature should grant a formal legal status to same-sex relationships by

Same Sex Marriage, Continued on Page 14

BASHIAN & FARBER, LLP

IS PLEASED TO ANNOUNCE THAT

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WCBA Credited for Courthouse

By Hon. J. Radley Herold

The Westchester County Bar Association was given extensive credit in luncheon remarks on February 15, 2005, by the Hon. Charles L. Briant, Judge of the U.S. District Court for the S.D.N.Y., for its work and support over a 10 year period in the ultimate establishment in 1983 of the White Plains branch of the Court.

A Special Committee of the WCBA, the Federal District Court Branch Committee, chaired by the late Secretary of the Association, Edwin A. Tennant, Jr., and consisting of 31 WCBA members, spent numerous hours poring through dusty records of the Foley Square court coming up with statistical and other justifications for having a branch in White Plains.

Statistics is a challenging field, but in referring to the Courthouse, Judge Briant said, "If you build it, they will come." The WCBA Committee, together with District Judges Lee Parsons Gagliardi and David N. Edelstein, accomplished the objective of having that local branch of the court in White Plains. A plaque in the Central Jury room of the Courthouse commemorates the activities of

Ed Tennant as Chair of the WCBA Committee for his selfless zeal and extraordinary efforts.

Judge Briant, in his remarks before the White Plains Bar, detailed the efforts in support of the project and the opposition which had to be finally overcome by Congressional action in 1978. The Court was first established as a satellite on Post Road in White Plains and then moved in 1995 to its present location on Quarropas Street. At the opening of the present location the late US Senator Daniel F. Moynihan addressed those assembled and pointed out the significance of courts in the United States as compared to their less significant presence in other countries of the world.

The members of the WCBA Committee continued their practice of the law, and some have passed away. The Committee included past Presidents of the WCBA, members of the Judiciary, and a Governor of New York. The 30 members of the Committee, in addition to Chairperson Tennant, were: Hon. Joel M. Aurnou, John R. Bartels, Jr., Roger Beilenson, Hon. Arthur D. Brennan, Joseph Burchetta, Carl D'Angelo, James Dempsey, James J. Donovan, Martin Drazen, Richard Fontana, Harvey J. Fried, George Gottlieb, Richard Gyory, H. Glen Hall, Frank M. Headley, Jr., Hon. J. Radley Herold, Hon. John F. Holden, Jr., Hon. Harold S. Klein, Alvin H. Meadow, Henry G. Miller, Hon. Richard A. Molea, E. George Nyberg, William F. Plunkett, Jr., Paul D. Rheingold, Hon. Isaac Rubin, Robert B. Schindler, Lawrence F. Scinto, Thomas E. Tyre, Hon. Malcolm Wilson and Mizell Wilson, Jr.

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- \$1.3 Million: **Med Mal** - negligent gall bladder surgery
- \$4.2 Million*: **Labor Law** - Wrongful death; 55 Year old carpenter working "off books"
- \$1.45 Million: **Auto** - Half-inch leg shortening
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- \$4.2 Million: **Neg. Security** - Verdict solely for 20 minutes pain & suffering

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President's Message, Cont'd from p. 1

We will also be proposing an amendment that would revitalize the Directors' Council. This new Directors' Council would be made up of all the past presidents of the Association. This amendment calls for the Directors' Council to meet with the incoming President no later than 30 days after that person takes office. The Council itself will meet once annually, and, in the discretion of the President, will meet with the President and/or the Executive Committee in order to provide advice.

As I promised, we will be reinstating our Local Bar Leaders Meeting. Thanks to Joe Ruhl of Hudson Valley Bank, our sponsor, and Hon. Adam Seiden for spear heading this effort. The first meeting will be held on Monday, March 21st at the Willett House in Portchester. We have a new and exciting format and I am sure you will find these meetings more beneficial than before.

The Federal Trade Commission has appealed the lower court decision striking its attempt to regulate attorneys under the privacy provision of the Gramm-Leach-Bliley Financial Modernization Act. The Westchester County Bar Association has joined in the brief of the ABA and the NYSBA as *amici curiae*. As is our responsibility to our membership, it is important that we take all necessary steps to protect client confidentiality and the confidentiality of our clients' financial information.

Of significant importance at the Annual Meeting of the NYSBA House of Delegates was the issue of same sex marriage. There were extensive discussions addressing all sides of the issue, a synopsis of which will be provided in a separate article. This is an issue to watch very carefully. A vote will be taken at the April House of Delegates Meeting.



Lawyers on the Move

WCBA member Claire Meadow recently presented a 4 hour CLE seminar in New York City entitled "New York Residential Real Estate Transactions and Title Matters" and is now presenting CLE and other lectures on the national level.

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Dog Breed Discrimination, Cont'd. from p. 3

Law, including the full text of the bills, see the *Bill Search & Legislation Information* section of the New York State Assembly web site (<http://assembly.state.ny.us/leg/>) and the *Bills and Laws* section of the Senate web site (<http://public.leginfo.state.ny.us/menuf.cgi>).

* Irene Dillon, Esq., is the Secretary of the newly formed Animal Law Committee. Paula Kennedy, Esq., and Robert Friedlander, Esq. have been named as Co-Chairs. Anyone who would like to join or learn more about the Animal Law Committee may contact the Association at info@wcbany.org



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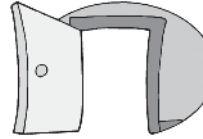
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**Welcome New
Members!**



WCBA would like to welcome new attorney members: Alan Borenkind, Esq., of New York, Thomas R. Constabile, Esq., of Larchmont, John Doherty, Esq., of White Plains, Denyse Fecteau, Esq., of White Plains, John M. Flannery, Esq., of White Plains, Irene J. Goldsmith, Esq., of Yorktown Heights, Pauline J. Haynes, Esq., of White Plains, Steven Kasarda, Esq., of New York, Rachel J. Littman, Esq., of Chappaqua, Yuval Marcus, Esq., of New York, Christopher W. McClure, Esq., of White Plains, Evelyn Miller, Esq., of Elmsford, Martin A. Polowy, Esq., of White Plains, Preetha J. Poomkudy, Esq., of Elmsford, Eugene Riordan, Esq., of White Plains, Whitney Singleton, Esq., of Mount Kisco, Cheryl Slater, Esq., of Yonkers, Douglas S. Trokie, Esq., of New York City, and Debora Zelenetz, Esq., of Scarsdale. We also would like to welcome new affiliate members Jeanne Ann Heiser, of White Plains, Thomas J. Linehan, of Harrison, and William B. Sitka, of Port Chester.

Welcome to the WCBA! We look forward to seeing you soon at CLE and other events.



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marriage, domestic partnerships, civil unions, or any other name. Rather, the dissenters state, the Association should call upon the Legislature to determine the appropriate public policy with respect to whether and to what extent such relationships should have legal recognition. The dissenters also express concern that if the Association should take any specific position other than bringing the issue forward to the Legislature, such a recommendation could have an divisive impact on NYSBA membership.

The NYSBA House of Delegates discussed this matter at its November 2004 and January 2005 meetings and is scheduled to take a formal vote at its April 2, 2005 meeting. WCBA representatives are asking that you express your views regarding the following resolutions:

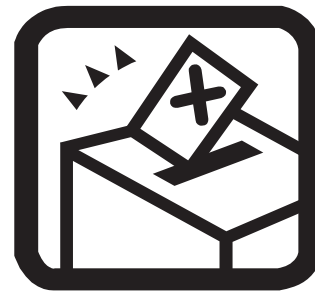
(a) That the NYSBA recommend to the Legislature that it adopt legislation expressly authorizing same-sex couples to marry under New York's civil marriage statute; or

(b) That the NYSBA recommend to the Legislature that it enact comprehensive legislation to extend to same-sex couples the rights now extended to opposite sex couples and that the three comprehensive options that are available are domestic partnerships, civil unions

and marriage; or

(c) That the question of whether the Legislature should grant formal legal status to same-sex couples is a question of social or public policy as to which the NYSBA should not make a recommendation and would approve Parts I, II and III of the report for transmission to appropriate governmental officials and entities to assist them in determining appropriate public policy.

If you have not yet taken the time to send us your views on this issue and want your opinion to be counted, please complete the form enclosed in your Annual Meeting package and return it to the WCBA as soon as possible. It is important that we are able to represent our members fairly and accurately within the NYSBA House of Delegates and in all of our activities on your behalf. Please mail your responses to the Association offices at 300 Hamilton Avenue, Ste. 301, White Plains, NY 10601, fax them to (914) 761-9402, or e-mail info@wcbany.org.



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Westchester County Bar Association

NEWSLETTER

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