

ANNUAL MEETING 2018

Fourteenth Annual Edith I. Spivack Symposium

Sponsored by Committee on Women in the Law

**Perfecting "The Ask": How To Ask For What You Want
And Get It – For Your Client And For Yourself**

January 23, 2018 | New York Hilton Midtown | NYC

6.0 Total Credits: 2.5 Ethics | 1.5 Skills | 2.0 Professional Practice (Transitional)

Program | 9:00 a.m. to 4:15 p.m.

Beekman Room, 2nd floor

Award Luncheon | 1:15 p.m. to 2:15 p.m.

Nassau Room, 2nd floor

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

Clinton Room, 2nd floor

COMMITTEE CHAIR

Susan L. Harper, Esq., Bates Group LLC, NJ

PROGRAM CHAIRS

Terri A. Mazur, Esq., NYC

Carol C. Villegas, Esq., Labaton Sucharow LLP, NYC

The Program is co-sponsored by Labaton Sucharow LLP, Morrison Cohen LLP, NYSBA Antitrust Law Section, NYSBA Commercial and Federal Litigation Section, Bates Group LLC, The Garden City Group, Precision Discovery, and U.S. Legal Support.

Asking for new business, more money, or to be the lead attorney on a deal or a case can be a challenge. But the only way to get what you want (and what you deserve) is to ask for it. Whether you're a litigator, a transactional attorney, in-house counsel, or in the public sector, we all share the same struggle – knowing the right way to ask for something so that we're set up for success. This Annual Meeting Program brings together the best and the brightest lawyers and judges who have succeeded in their fields because they had the courage and the skill to ask for the things that got them ahead. This program will examine implicit bias and discrimination in the legal industry and the unique obstacles women attorneys face impacting their practice of law and their career advancement. Using the recent report by the NYSBA Commercial and Federal Litigation Section addressing gender disparity in the courtroom as a springboard, the program will examine how navigating "The Ask" has manifested in a lack of participation by women at various levels of the legal profession – not only in law firms, but in public and private legal departments and institutions. The program will also examine potential ethical pitfalls that can arise from the pursuit of business and conflicts, as well as the line between persuasion and unethical behavior, to make sure that what you're asking for from prospective clients, current clients, other lawyers and in your work is ethical. We will also examine how to address retaliation. Finally, the program will provide the practical skills you need to overcome bias in the workplace and prepare yourself to make "The Ask" to benefit your clients' interests and your professional success.

9:00 – 9:20 a.m. **Registration**

9:20 – 9:30 a.m. **Opening Remarks: Susan L. Harper, Esq., Managing Director NY/NJ, Bates Group LLC and Chair, NYSBA Committee on Women in the Law**

9:30 – 9:55 a.m. **Keynote Speech: "If Not Now, When?" NYSBA Commercial and Federal Litigation Section's Task Force Report On Achieving Equality For Women Attorneys In The Courtroom And In ADR.**

Despite graduating law school at rates nearly equal or equal to their male counterparts for decades, female attorneys still comprise just 25.2% of the attorneys appearing in commercial and criminal cases in state and federal courtrooms across New York State. That number drops to 19.5% in cases involving complex commercial litigation. These numbers are striking. Retired United States District Court Judge Shira A. Scheindlin – who is now a mediator and arbitrator with JAMS and Of Counsel at Stroock & Stroock & Lavan LLP – will discuss the findings of the recent report on gender equity in courts prepared by a Task Force of the NYSBA's Commercial and Federal Litigation Section. She will discuss the reasons for the shocking gender disparity described in the report and the history of efforts to understand and correct this phenomenon. Judge Scheindlin will also address how women lawyers can better position themselves to seek – and to ask for – opportunities to propel their careers forward and upward, and to ask others to help them. This compelling keynote speech will also examine how concrete efforts from law firms, clients, and the judiciary are needed to effect a sea change in the opportunities for women at the highest levels of law. Finally, the Judge will share with you her own story – her "Asks" along the way, and how you can ask for what you deserve on your path to success.

Keynote Speaker:

Honorable Shira A. Scheindlin (retired), United States District Court, Southern District of New York; Of Counsel, Stroock & Stroock & Lavan LLP; Mediator and Arbitrator for JAMS, NYC

9:55 – 11:10 a.m. **Getting Ahead: Perfecting Your "Ask" To Succeed Professionally**

You work really hard, but you're just not advancing in your career, not landing the big clients, and not being chosen to lead the important deals or cases. All too often, we think that if we work hard and do all that is asked of us, we will be chosen for promotion and given the opportunities we want. But one reason why people do not get what they want and deserve is that they have not asked. Asking for something you want and deserve in your career can be challenging. Simply put – it can be hard to ask. This panel examines the reasons why it can be difficult for us to ask for things that will result in career advancement, including in the handling of transactions and litigation. The accomplished attorneys on this panel, including the author of the book "The Ask," will provide concrete strategies and practical skills to help advance you professionally, including how to effectively ask for business; to be the lead on a matter, team or in management; and for increased compensation. The panelists will also discuss how and why they have asked for advancement along the way, and share personal examples of successful techniques and those to avoid. Our goal is to have you leave this CLE panel confident in how to ask for advancement in your career – whatever that may mean for you!

Speakers:

Honorable Darcel Clark, Bronx County District Attorney, New York

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Laura Fredricks, Esq., CEO, Founder and Author of "The Ask"; Former Deputy Attorney General IV, Civil Litigation, Commonwealth of Pennsylvania

Damaris Hernández, Esq., Partner, Cravath, Swaine & Moore LLP, NYC

Carla Miller, Esq., Vice President, Business & Legal Affairs, Universal Music Group, NYC

Panel Chairs:

Frettra M. de Silva, Esq., Head, Legal, Transaction Banking, Americas, Standard Chartered Bank, NYC

Sheryl B. Galler, Esq., Law Office of Sheryl B. Galler; NYC

11:10 – 11:25 a.m. Break

11:25 – 1:05 p.m. **Leveling the Playing Field: Addressing Institutional and Implicit Bias and Identifying Opportunities for Women's Participation and Success**

Perfecting your "Ask" is important, but for women to get ahead, legal institutions have to foster an environment that gets you from "The Ask" to a "Yes!" In order for women attorneys to progress in law firms, legal departments, the public sector, and in the judiciary, institutions must put in place formal and informal mechanisms to inspire, encourage, and reward "The Ask." The second panel brings together leaders from top law firms, the judiciary, the public sector, and the corporate world who will examine implicit bias issues in legal institutions. The second panel will also discuss steps legal institutions have already taken to foster a culture of inclusion and to provide an environment that sponsors women leaders. The panelists will address strategies legal institutions can adopt and implement to combat institutional bias and increase the number of women in leadership roles.

Panelists:

Carrie H. Cohen, Esq., Partner, Morrison & Foerster LLP; former Assistant United States Attorney in the Southern District of New York, NYC

Magistrate Judge Marilyn Go, United States District Court for the Eastern District of New York

Shira Nadich Levin, Esq., Partner, Cooley LLP; Co-Chair of The Cooley's Women's Initiative, NYC

Sheila Murphy, Esq., Senior Vice President & Associate General Counsel, MetLife, NYC

Panel Chairs:

Laura Sulem, Esq., Director, Litigation at Practical Law, Thomson Reuters, NYC

Carol C. Villegas, Esq., Partner, Labaton Sucharow LLP, NYC

1:05 – 1:15 p.m. Break

1:15 – 2:15 p.m. **Luncheon and Presentation of Kay Crawford Murray Award**

Remarks: Sharon Stern Gerstman, Esq., President, New York State Bar Association

Honorable Kathleen Courtney Hochul, Lieutenant Governor, State of New York

2:15 – 2:30 p.m. Break

2:30 – 4:10 p.m. **"The Ask" In Action – Ethics And Other Dilemmas**

We have all thought long and hard about what to say, what not to say, and how to present our best self when we appear in court, in a deal negotiation, or in a meeting with a senior partner. What about the ethics involved in "The Ask?" Where is the line between persuasion and unethical behavior? How do we handle conflicts between client representation and negotiations? How do you address retaliatory behavior? These and other issues will be examined by the third panel. Utilizing several scenarios, the panel will show the good, the bad, and the ugly when making "The Ask." Our ethics expert will provide commentary on what ethical lines have been crossed and authority and guidance under the rules of professional conduct. The panelists will also provide coaching advice to see if we can change the outcome in these scenarios and make sure your "Ask" is ethical as well as effective.

Panelists:

Amelia Choyné, Esq., Partner, Aaronson Rappaport Feinstein & Deutsch, LLP

Karen Grottalio, Esq., Partner, Heidell, Pittoni, Murphy & Bach, LLP

Deborah A. Scalise, Esq., Partner, Scalise & Hamilton, LLP

Jason Turken, Esq., Founding Partner, Turken & Heath, LLP

Stephen Zweig, Esq., Partner, FordHarrison LLP

Panel Chairs:

Kathleen A. Lyons, Esq., Vice President, Property & Casualty Business Management, Swiss Re America Holding Corporation

Rosary A. Morelli, Esq., Partner, Morelli & Lasalle, LLP, NYC

4:10 – 4:15 p.m. Closing Remarks

4:15 – 5:30 p.m. **Women's Networking Reception: CWIL Exhibit Commemorating the New York Centennial Anniversary of Women's Suffrage**

Reception Remarks:

Susan L. Harper, Chair, NYSBA's Committee on Women in the Law

Maureen Bezuhly, Chair, Best Practices Subcommittee of Committee on Women in the Law

Networking Reception Co-Sponsored by Labaton Sucharow LLP, Morrison & Cohen, LLP, NYSBA Antitrust Section, and Committee on Women in the Law

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IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of 6.0 credit hours 2.5 Ethics, 1.5 Skills, 2.0 Professional Practice Transitional. This program is transitional and is suitable for MCLE credit for both newly-admitted attorney and experienced attorneys.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under this policy, any member of our Association or non-member who has a genuine basis for their hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received prior to January 13, 2017. For more details, please contact Kathleen Baxter in writing at New York State Bar Association, One Elk Street, Albany, New York 12207 or kbaxter@nysba.org.



Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Melissa O'Clair at 518-487-5624.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association or on the web at www.nysba.org/am18accomm. The rate will be based on room selection (single/double occupancy) and arrival/departure dates with additional taxes and hotel fees. The discounted rate for January 21st and January 22nd is \$179 per night. The discounted rate for January 23rd through January 28th is \$229 per night. A rate of \$209 will be offered to those with overlapping dates. Rates and availability are not guaranteed after January 11, 2018.



For questions about this specific program, please contact Melissa O'Clair at 518-487-5624. **For registration questions only, please call the Member Resource Center at 800-582-2452. Fax registration form to 518-463-5993.**