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WILS Connect

A publication of the Women in Law Section of the New York State Bar Association



Untangling the Two Prostitution Bills
in the New York State Legislature
Bryn Lovejoy-Grinnell

Lessons Learned: What We Should
Carry Forward as We Emerge
From COVID-19
Elizabeth Usinger

The Big, Wonderful World of Special
Education and Education Law:
Career Paths and Possibilities
Alison Morris



Power of Attorney Form: 2021 Update

New York State recently reformed the Statutory Short Form Power of Attorney for purposes of financial and estate planning, effective June 13, 2021. The changes are designed to simplify the POA form, allow for substantially compliant language as opposed to exact wording, provide safe-harbor provision for good-faith acceptance of an acknowledged POA, and allow sanctions for those who unreasonably refuse to accept a valid POA.

LexisNexis® NYSBA's Automated Power of Attorney Form (2021)

- This version is a fully automated document-assembly drafting system, powered by HotDocs®.
- It eliminates the need for repetitive typing, cutting, and pasting, along with the risk of errors that often accompany traditional form completion.
- Suggested language for permissible modifications is included within this program for ease of use.
- Frequently Asked Questions are provided to assist with the user experience along with an introduction articulating basic guidance for the form.

* NYSBA Member: \$70.00

* Non-Member: \$99.00

* One-year subscription fee. Annual renewals by LexisNexis®.

Microsoft® Word Version

- This version of the New York State Statutory Power of Attorney is formatted using Microsoft Word.
- Users simply utilize the tab key to enter information into the fields included.
- Suggested language for permissible modifications is provided in a separate document and may be copied and pasted into the Power of Attorney form.
- Frequently Asked Questions are provided to assist with the user experience along with an introduction articulating basic guidance for the form.

NYSBA Member: \$20.00

Non-Member: \$35.00



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Lessons Learned: What We Should Carry Forward as We Emerge From COVID-19

By Elizabeth Usinger

It is an early morning in the spring of 2021. What day is it? Eyes open, our gazes shift eastward. The sun is rising, but what will today bring? Many of us cannot answer that question with the same level of certainty that we had a year-and-a-half ago. Now at least, for many of us, there is a sense of hope and promise that was largely absent on this same day in 2020. As each day passes we are shifting slowly toward some version of normalcy, and so it feels like an appropriate time to reflect for a moment. Let us consider some of the lessons we have learned over the past year, in particular the ones we should take with us as we navigate whatever it is that lies ahead.



Elizabeth Usinger

It Is Okay To Not Feel Okay

It has been a grueling 14 months on many levels. Our lives have been upended, and while every individual has handled the upheaval differently, mental health and wellness struggles once non-existent or tucked away beneath the surface have taken center stage. As lawyers, we are trained to find solutions and advocate tirelessly for our clients. That zealous advocacy, however, can cause lawyers to lose sight of our personal well-being; especially during an unprecedented pandemic, when lawyers were maintaining their roles as problem solvers as new challenges emerged seemingly by the hour and there were no clear answers to ordinarily routine questions.

As the world shut down last year, we found ourselves isolated regardless of whether we were physically alone. While we've been isolated, many of us have learned we are not alone in feeling overwhelmed—that there are others, fellow lawyers, actively struggling with their mental health and well-being. Of course, we do not wish suffering upon our peers, but there is a sense of comfort in knowing one is not alone. As lawyers have bravely spoken up about mental health and wellness, others have bravely stepped up and shared their stories too. Familiar and relatable, we have heard about anxiety, alcohol and/or substance abuse, depression, feelings of hopelessness and isolation, and extreme stress (to name a few).

Chances are that you or someone you know struggles with one or more of the above, whether outwardly or not. Internalizing our mental wellness challenges because of fear or unwillingness to accept help can have devastating impacts both individually and professionally. Let us

continue to recognize as a profession that it is okay to not feel okay; mental health concerns do not make us bad lawyers or human beings.

With that said, some pearls of wisdom: acknowledging that one is struggling (or recognizing a colleague is having difficulty) is just the first step. Step two is asking for help. *It is okay to ask for help.* There are many resources available to lawyers now, and we should not feel afraid to use them. Whether you have too much on your plate or are consumed with anxiety, it may not be obvious to others. This is why, especially in a remote working environment, checking in on our friends and colleagues

on a more personal level should become routine. We lawyers are humans with needs and emotions and connecting with one another is perhaps more important now than ever. This dialogue has tremendous potential as part of the movement toward destigmatizing mental health concerns and recognizing the importance of individual wellness.

There Is No Perfect Work/Life Balance—Find What Works for You

The unanticipated shift to remote working blurred the lines between work and home life that many lawyers took for granted. It became harder to “shut down” for the day, or to say one is unavailable at a certain time, because, well, everyone was stuck at home. What would be an acceptable reason not to be available for an 8:00 p.m. videoconference? No one wanted to be the first to find out. Thus, many lawyers lost their boundaries and became accessible 24/7. While in theory that might sound like it is good for business, it is an unsustainable routine. Whether one has children, a significant other, or lives alone, lawyers must not lose their personal identities. We should remain flexible and able to adapt as we have over the past year, but boundaries are critical. What that looks like will vary from person to person. By now most lawyers know or at least have a much better sense of what type of working arrangement is most productive for themselves. Some lawyers prefer to continue working remotely. Others yearn for a full return to their office.

Then there are many lawyers who want flexibility, or, a “hybrid” option. This seems to be the preferred option, especially amongst lawyers with children at home.

Lawyers with very young or early school-aged children know all too well that it is difficult, at best, to explain that mommy (or daddy) is “working” when mommy is visible 10 feet away. “But why can’t you play with me?” “I can’t do Google classroom, please help me!” “Why are you ignoring me but talking to other people on the phone?” “Why don’t you love me?!” That last one hurts the most, and of course simply responding that it’s not true is insufficient in the mind of a child. How many lawyers with young or school-aged children thought our kids would be happy to have us home all the time, only to eventually realize that physical presence means little if we are not actually paying attention and engaging. That lesson extends to spouses, significant others, elderly parents, or anyone else in one’s household.

Remember who you are and know your individual limits. It is hard to be a good lawyer, a good partner, and/or a good parent if one cannot recognize their own needs and make time for oneself—whatever that may look like.

Elizabeth Usinger is a member of Cullen and Dykman LLP in Garden City, Long Island. Ms. Usinger is a commercial litigator with a diverse practice, including significant experience in bankruptcy litigation and heavy construction disputes. She and her husband, an essential worker, have two daughters ages 9 and 6, two cats, and a school of fish.



WILS and NYSBA’s International Section jointly presented a timely program featuring women from around the world who discussed issues confronting women as the world returns to work at the office on June 17, 2021, “How Women from Five Countries View Post-Pandemic Office Returns.” Top L to R: Corinne Kathryn Garcia Kane (Mexico & South America, LAD Deputy General Counsel, Oracle), Carol Villegas (U.S., Partner, Labaton Sucharow LLP), Patrizia Romano (Italy, representing Foreign Affairs Committee of the Milan Bar Association). Bottom row L to R: Anna Dabrowska (Poland, Partner, Wardynski & Partners), Chinyere Okoroacha (Nigeria, Partner, Jackson, Etti & Edu) and Melissa Fridman (United States & Germany, Managing Director, Global Head of Human Resources, Investment Bank - Deutsche Bank).



On May 18, 2021, WILS’ General Counsel Committee presented an insightful program, “How To Secure a Board Seat When Boards Don’t Want More Attorneys,” with Betsy Berkheimer-Credaire, CEO of 50/50 Women on Boards, for women lawyers interested in serving on corporate boards of directors.