



NYSBA CLE

Friday, October 4, 2013

Buffalo

Friday, October 4, 2013

Long Island

Friday, October 18, 2013

Albany

Friday, October 18, 2013

New York City  **Webcast**

Friday, October 25, 2013

Westchester

Webcast

Can't attend in person? This program is also available via a simultaneous live webcast option.

Newly admitted attorneys (less than twenty-four months) must attend the program in person to receive New York MCLE credit.



**INCLUDES
4.0 ethics credits**

See inside for more details.

Protecting Your Practice – Risk Management 101 for Lawyers

Topics to be covered include:

- Competency in Area of Practice & Insurance Considerations
- Recognizing and Handling Conflicts of Interest – Proper Client Intake
- Effective Client Relations and Resolving Attorney-Client Disputes
- Relations with Others, Including Partners and Non-Clients
- Insurance Considerations, including the Appropriate Coverage and the Importance of Proper and Timely Notice

Register Now!

**Save Money, and Guarantee
Your Seat at the Program!!!**

NYSBA Co-Sponsors:

Law Practice Management Committee
Committee on Continuing
Legal Education



Program Description

The New York State Bar Association is pleased to present Protecting Your Practice - Risk Management for Lawyers. Designed for all practicing attorneys regardless of their level of expertise, this program will offer practical tips to help improve your practice and lessen the possibility of a malpractice claim or grievance. The program includes an overview of the New York Rules of Professional Conduct, disciplinary rules, recent developments and cases of interest.

Earn 4.0 MCLE Ethics credits while getting up-to-date tips from experienced practitioners and consultants.

Reasons to attend:

- Learn about standardization of engagement, non-engagement and disengagement letters
- Learn about malpractice insurance considerations and purchasing the appropriate coverage
- Learn about dangers in office sharing and implied partnerships
- Includes a segment on conflicts of interest

Agenda

8:30 a.m.
Registration

9:00 a.m. – 9:10 a.m.
Welcome and Introduction – Local Chair

- 9:10 a.m. – 10:00 a.m.
I. Competency in Area of Practice & Insurance Considerations
- Mandatory continuing legal education
 - Referrals and associations with attorneys proficient in area of representation
 - Dangers in office sharing and implied partnerships
 - Graphs/Charts – problematic areas of practice
 - Develop a docket control procedure for appointments and reminders
 - File retention
 - Purchasing the appropriate coverage
 - The insurance application
 - Claims made coverage
 - Coverage for prior acts
 - The importance of proper and timely notice
 - Extended reporting periods/retirement

10:00 a.m. – 10:10 a.m. Refreshment Break

- 10:10 a.m. – 11:00 a.m.
II. Conflicts of Interest – Proper New Matter/Client Intake
- Maintenance of conflict procedures
 - Lateral hires
 - Identifying the client
 - Conflicts between attorney and client
 - Simultaneous representation of clients with adverse interests
 - Transactions between lawyer and client
 - Conflict between present and former client
 - Representing business organizations

11:00 a.m. – 11:10 a.m. Refreshment Break

- 11:10 a.m. – 12:00 p.m.
III. Client Relations
- Choosing the client carefully
 - Client's expectations
 - Informative and truthful communications
 - Statement of Client's Rights and Responsibilities
 - Importance of the clear, unambiguous written letter of engagement
 - Standardization of engagement, non-engagement & disengagement letters
 - Informed consent
 - Preserving the secrets and confidences of a client
 - Limiting liability to a client
 - How to avoid suits for fees – Fee Arbitration Rules
 - Escrow requirements
 - Importance of documenting a file
 - Resolving attorney-client disputes – Mediation of Attorney-Client Disputes
 - E-mail
 - Proper withdrawal from employment

- 12:00 p.m. – 12:50 p.m.
IV. Relations with Others
- Integrity in dealing with non-clients – Standards of Civility
 - Intra-firm relationships
 - Dealing with partners
 - Supervisory responsibilities of law firms and attorneys
 - Scope of supervisory responsibility of lawyers
 - Ethical issues facing newly admitted attorneys
 - Stress management and Lawyers' Assistance Programs
 - The "innocent" partner
 - Lawyer advertising and marketing

12:50 p.m. – 1:00 p.m. Question and Answer Session

1:00 p.m. Adjournment

4.0 MCLE CREDITS: 4.0 Ethics

This **basic-level** course has been approved for MCLE credit in **New York** for all attorneys, including newly admitted (less than 24 months).

This program has also been approved for MCLE credit by the **State Bar of California** and the **Pennsylvania Continuing Legal Education Board** for **3.5** credit hours of substantive law and **3.5** credit hours of ethics. All inquiries regarding MCLE credits may be directed to **(518) 487-5606**.

This program has been approved by the **Board on Continuing Legal Education of the Supreme Court of New Jersey** for XXX hours of total CLE credit. Of these, XXX qualify as hours of credit for ethics/professionalism, and 0 qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law. This course does not qualify under any of the nine specified new admit areas, in five of which New Jersey attorneys admitted in 2009 or thereafter, in their first full two-year compliance period, must take 15 of their 24 required credit hours (see BCLE Reg. 201:2).

The New York State Bar Association's Committee on Continuing Legal Education has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York.

IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

Program Faculty

Overall Planning Chair

Marian C. Rice, Esq.
L'Abbate Balkan Colavita
& Contini, LLP
Garden City, NY

Local Chairs and Speakers

Buffalo: Glenn Fjermedal, Esq., Davidson Fink LLP, Rochester, NY (Chair)* **Dennis R. McCoy, Esq.**, Hiscock & Barclay LLP, Buffalo, NY * **Harry F. Mooney, Esq.**, Hurwitz & Fine, PC, Buffalo, NY * **Mike Mooney**, USI Affinity, Philadelphia, PA.

Long Island: **Marian C. Rice, Esq.**, L'Abbate Balkan Colavita & Contini, LLP, Garden City, NY (Chair) * **Matthew K. Flanagan, Esq.**, Catalano Gallardo & Petropoulos LLP, Jericho, NY * **Mark K. Anesh, Esq.**, Lewis Brisbois Bisgaard & Smith LLP, New York, NY * **Janice J. DiGennaro, Esq.**, Rivkin Radler LLP, Uniondale, NY.

Albany: **Scott W. Bush, Esq.**, Corrigan, McCoy & Bush, PLLC, Albany, NY (Chair) * **Paul G. Ferrara, Esq.**, Costello, Cooney & Fearon, PLLC, Syracuse, NY * **William T. McCaffery, Esq.**, L'abbate, Balkan, Colavita & Contini, LLP, Garden City, NY

New York City: **Mark K. Anesh, Esq.**, Lewis Brisbois Bisgaard & Smith LLP, New York, NY (Chair) * **A. Michael Furman, Esq.**, Furman Kornfeld & Brennan LLP, New York, NY * **Marian C. Rice, Esq.**, L'Abbate Balkan Colavita & Contini, LLP, Garden City, NY * **Mark E. Housman, Esq.**, Housman & Associates PC, Tarrytown, NY.

Westchester: **Mark E. Housman, Esq.**, Housman & Associates PC, Tarrytown, NY (Chair) * **Marian C. Rice, Esq.**, L'Abbate Balkan Colavita & Contini, LLP, Garden City, NY * **Jeffery G. Steinberg, Esq.**, Steinberg & Cavaliere, LLP, White Plains, NY.

Information and Policies

Pre-registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis.

Cancellations are easy – full refunds are given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) on the day prior to the date of the program for which you registered. To cancel, write the State Bar Service Center at One Elk Street, Albany, New York 12207; or fax (518) 487-5618; or call (800) 582-2452. If you do not cancel and do not attend the program, access to a complete set of course materials in PDF format will be forwarded to you via e-mail in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.

MCLE Credit: This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions.

Tuition Assistance: New York Attorneys may apply for tuition assistance to attend this program based on financial hardship. Any New York attorney who has a genuine financial hardship may apply for tuition assistance for a CLE program by completing a *Tuition Assistance Request Form* and returning it to the CLE Department no later than five working days prior to the program, explaining the basis of his/her hardship. If granted, the attorney will receive tuition assistance, depending on the individual's circumstances. For more details, please contact our State Bar Service Center at (800) 582-2452.

Group Discounts: Subject to availability and exclusions, group discounts are available to law firms and organizations sending 3 or more employees to any one NYSBA CLE program. Please contact Jane Nielsen, at (518) 487-5586 for more information.

CLE Coupon Plan: For more information on our CLE Coupon Plan offering substantial savings on full-day, live programs, please contact the Registrar's Office at 1.800.582.2452.

Recording of NYSBA Seminars in any form is strictly prohibited.

 **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 Cindy O'Brien at (518) 487-5585 or cobrien@nysba.org

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With NYSBA Membership You Can Do More *WITH* More:

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- 3. Access members-only job and career resources at www.nysba.org/jobs
- 4. Network with the best via exclusive, members-only Section benefits

Become a NYSBA Member Today! Go to www.nysba.org/join or Call **518.487.5577**

NYSBACLE



New this Fall: All program materials will be distributed exclusively online in searchable PDF format, allowing attendees more flexibility in storing this information and allowing you to copy and paste relevant portions of the materials for specific use in your practice. A *CLE NotePad*® (paper) will be provided to all attendees at the live program site. The *CLE NotePad*® includes lined pages for taking notes on each topic, as well as any PowerPoint presentations submitted prior to printing. Traditional printed course books can be ordered at the program site for a discounted price and will be shipped subsequent to the program date.

Special Offer from the NYSBA Bookstore

Save 20% on our featured product

Best Practices in Legal Management: A Comprehensive Guide

Includes Forms on CD

This is the most complete and exhaustive treatment of the subject of the business aspects of running a law firm available anywhere. This comprehensive textbook provides practical tips and best practices as well as useful forms and templates.



PN: 4131 | 2010 | 498 pages | softbound

NYSBA Members \$139 | Non-Members \$179

1.800.582.2452 | www.nysba.org/bestpracticesbook
Use coupon code **CLEF2013** at checkout and save 20%.*

* Offer expires 30 days after program date.

4 WAYS TO REGISTER

Online www.nysba.org/CLE

Call **1.800.582.2452** (U.S. and Canada) or **518.463.3724** in Albany & surrounding area

Download an order form online at www.nysba.org/CLEOrderForm and

Mail State Bar Service Center
New York State Bar Association
One Elk Street
Albany, NY 12207

Fax **518.463.5993**

Pricing **NYSBA members: \$125.00**
Non-members: \$225.00
Students: \$35.00

Note Registration fees for live programs increase ten days prior to the program date.

Source Code: CL4126

Program Locations

Important Note: If you plan to pre-register within 10 days of the program or register at the door, please call us at **(800) 582-2452** or in Albany and surrounding area, dial **(518) 463-3724**, to verify that the program is not sold out or that the date or location has not been changed. Those who pre-register in advance of the program will automatically be notified of any such changes and will receive a full refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please pre-register as early as possible.

Friday
October 4, 2013
Buffalo
PC: (0DC72)

Holiday Inn Amherst
1881 Niagara Falls Blvd.
Amherst, NY 14228
(716) 691-8181

Friday
October 18, 2013
New York City
PC: (0DC74)

The New Yorker Hotel
481 Eighth Avenue @ 34th Street
New York, NY 10001
(212) 244-0719

Friday
October 4, 2013
Long Island
PC: (0DC73)

Long Island Marriott
101 James Doolittle Blvd.
Uniondale, NY 11553
(516) 794-3800

Friday
October 25, 2013
Westchester
PC: (0DC77)

Holiday Inn Mt. Kisco
1 Holiday Inn Drive
Mt. Kisco, NY 10549
(914) 241-2600

Friday
October 18, 2013
Albany
PC: (0DC71)

New York State Nurses Association
11 Cornell Road
Latham, NY 12110
(518) 782-9400

Webcast

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 See our Fall 2013 schedule online at www.nysba.org/cle

REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!

NYSBA **CLE** *presents*

Protecting Your Practice – Risk Management 101 for Lawyers



INCLUDES
4.0 ethics credits

See inside for more details.



NEW YORK STATE BAR ASSOCIATION
CONTINUING LEGAL EDUCATION

Registrant note: Is your name and address listed correctly on the mailing label at the right? If not, please contact the State Bar Service Center at 800.582.2452/518.463.3200. If you receive multiple copies of this brochure, please pass them along to colleagues who may be interested in this program.

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Protecting Your Practice – Risk Management 101 for Lawyers – PC: (0DC7)

Location of Seminar _____

Paying by Check?

Please complete this form and mail it with your payment to:

State Bar Service Center
New York State Bar Association
One Elk Street, Albany, NY 12207

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Firm _____

Business Address _____
STREET/SUITE NUMBER/CITY/STATE/ZIP

Telephone (_____) _____