

Corporate Counsel Organization Highlights

Letter From The President Of The New York County Lawyers' Association



To The Readers Of *The Metropolitan Corporate Counsel*:

It has been well documented that the majority of offenders who are re-arrested for crimes are unemployed at the time of their re-arrest. The absence of gainful employment has been shown to be the most apparent cause of recidivism. To help combat this problem, two New York City district attorneys are spearheading programs to enable offenders to successfully re-enter society and avoid recidivism. Since 1999, Kings County District Attorney Charles Hynes's office has run a program called "Community and Law Enforcement Resources Together" (ComALERT). ComALERT aids ex-offenders by providing them with transitional housing, educational assistance, counseling and permanent job placement assistance. The program was created by former Kings County Assistant District Attorney Patricia L. Gatling, currently New York City's Commissioner of Human Rights. Then, in February, New York District Attorney Robert M. Morgenthau announced that his office had begun the "Fair Chance Initiative," an effort to assist recently released offenders in adjusting to life outside of prison. As part of the "Fair Chance Initiative," the district attorney's office will work with the New York State Division of Parole and many re-entry providers to address the major issues confronting ex-offenders, which include the availability of programs offering substance abuse treatment and job training, as well as the critical need for housing.

The New York County Lawyers' Association has long been committed to addressing other barriers to successful re-entry, namely, the collateral consequences of criminal convictions. One of the most common collateral consequence and a significant barrier to obtaining sustainable employment is the discretionary denial of licenses based solely on prior convictions. We have all read about ex-offenders who have been thwarted in their efforts to start a new life because of their past. What these ex-offenders discovered after they were convicted or completed their sentences was that they still have to suffer the consequences of their convictions. There's the formerly incarcerated offender who received training in barbering but was unable to obtain a license in his trade because of his prior conviction or the graduate student unable to obtain a professional license because of a regrettable youthful mistake.

Collin Bull, Chair of NYCLA's Civil Rights Committee, recently stated, "Perpetual punishment of people who have paid their debt to society is a civil rights issue." In July 2007, his committee sponsored a public hearing with three New York State Assembly Committees titled "Formerly Incarcerated Individuals Barriers to Employment, Opportunities and Affordable Housing." Among the 19 witnesses who testified at the hearing were ex-offenders and representatives of private organizations and such government agencies as the Fortune Society, the Doe Fund and New York City's Human Resources Administration and Department of Social Services. One witness testified that after serving his sentence, he obtained an undergraduate and law degree. However, despite this clear demonstration of rehabilitation, his application for a Notary Public's license was denied because of his prior criminal history.

In December 2007, the NYCLA Board approved the Civil Rights Committee's proposal for a new pro bono program, Project Restore, directed at helping these offenders in their efforts at rehabilitation. The program will provide counsel to applicants who have been denied licenses as a result of adjudicated criminal history that predates the employment license application. Jobs requiring licenses include: barbers, cosmetologists, pet groomers and telemarketers. In addition to licenses, these jobs require a background check by both the New York State Division of Criminal Justice Services and Federal Bureau of Investigation. Some of the organizations that will refer their clients to Project Restore are: the Community Service Society of New York, the Fortune Society, ICARE (Interfaith Coalition of Advocates for Reentry and Employment), the National H.I.R.E. Network (Helping Individuals with criminal records Re-enter through Employment) and the Women's Prison Association. The program launches this spring and furthers NYCLA's commitment to lessening the collateral consequences of criminal convictions.

For further information about Project Restore or other pro bono projects, call Lois Davis, Director of Pro Bono Programs, at (212) 267-6646, extension 217 or email ldavis@nycla.org. Volunteer lawyers must be NYCLA members in good standing and meet additional requirements specific to each project. MCLE credits will be awarded to those participants who complete the project requirements.

Sincerely,
Catherine A. Christian

NY ACCA Offering Compliance Seminar

The Greater New York Chapter of the Association of Corporate Counsel is planning a Compliance Seminar on Wednesday, April 16.

The CLE portion of the program will run from 9 a.m. to 3 p.m. at the New York Marriott Marquis, 1535 Broadway, New York City. Following the CLE program, attendees will be invited to an hour-long meeting on the subject of organized networking within NY ACCA based on member interests.

The CLE session will address how to prepare for and deal with a surprise regulatory/enforcement visit. It also will

discuss employment law and international law issues relating to compliance.

Featured speakers will be Commissioner Kumiki Gibson of the New York State Division on Human Rights and Commissioner Jonathan Mintz of the New York City Department of Consumer Affairs. The segment moderators will be Asuncion Hostin, Kroll; Jeff Green, Port Authority Of NY/NJ; Maryrose Maness, Altria, and Elizabeth Wall, Elizabeth Wall Partners International.

For registration information, call John Ogden at (201) 962-8062.

NYCLA Seminar Will Offer Advice On Electronic Bankruptcy Filings

The New York County Lawyers' Association (NYCLA) has scheduled a CLE seminar titled Bankruptcy Court Electronic Case Filing System.

The program will take place on Wednesday, April 16 from 10 a.m. to 12:30 p.m. at the NYCLA Home of Law, 14 Vesey Street, New York City.

The judiciary-developed Electronic Case Filing System (ECFS) enables attorneys and litigants to submit pleadings and corresponding docket entries to the court via the Internet, thereby eliminating paper handling and processing time. It also permits any interested party instantaneous access to the entire offi-

cial case docket and documents on select civil and bankruptcy cases within certain jurisdictions. This newly updated training class is designed to enable attorneys to use ECFS effectively.

The instructor is Kevin J. Woodhouse, special projects manager, U.S. Bankruptcy Court, Southern District of New York.

For information on registration fees and available CLE credits, see the Bulletin Board on *The Metropolitan Corporate Counsel* website at www.metrocorp-counsel.com.

For reservations, call (212) 267-6656 or visit www.nycla.org.

NJCCA Plans Employment Law Briefing On Wage And Hour Topics

The New Jersey Corporate Counsel Association (NJCCA) has scheduled an Employment Law Briefing for Tuesday, April 29.

The program will take place from 8:30 a.m. to noon at The Park Avenue Club, 184 Park Avenue, Florham Park, NJ.

The panel discussion will cover wage and hour hot topics including: Top Ten Worst Wage and Hour headaches for Employers; Collective Actions, and Overtime Exemptions.

Speakers will include William Johnson, Quest Diagnostics; Peter Hughes, a

partner at the Morristown, NJ office of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and Al Robinson, former head of the U.S. Department of Labor Wage and Hour Division, and partner at the Ogletree Deakins Washington, DC office.

There is no registration fee. For details on CLE credits, see the Bulletin Board on *The Metropolitan Corporate Counsel* website at www.metrocorp-counsel.com.

For reservations, call Jill Glassman at (973) 656-1600 or email jill.glassman@ogletreedeakins.com.

NYCLA Seminar Will Explore Immigration Compliance

The New York County Lawyers' Association (NYCLA) is planning a CLE seminar titled The Intersection of Immigration and Corporate Business Law: Compliance Issues Under the U.S. Immigration Laws When Employing Foreign Labor.

The program will take place on Thursday, April 10 from 6 to 9 p.m. at the NYCLA Home of Law, 14 Vesey Street, New York City.

Attendees will learn about the immigration-related issues facing corporate human resource professionals as well as corporate and employment law specialists, including: I-9 preparation and retention; protecting clients from liability for employing undocumented work-

ers; recordkeeping requirements; employers' responsibility for their "independent contractors," and the immigration effects of the purchase or sale of a business employing foreign workers.

The program chair is Gilbert C. Ferrer, Law Offices of Gilbert C. Ferrer. Other speakers will be David M. Grunblatt, Proskauer Rose LLP, and Stuart J. Reich, Law Offices of Stuart J. Reich.

For information on available CLE credits and program fees, see the Bulletin Board on *The Metropolitan Corporate Counsel* website at www.metrocorp-counsel.com.

To register for the program, call (212) 267-6646 or visit www.nycla.org.

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