

Perspective

A publication of the Young Lawyers Section
of the New York State Bar Association

A Message from the Section Chair

Why get involved in the Young Lawyer's Section ("YLS")?

New attorneys and members of our Section frequently ask me what the benefits are to getting involved in the YLS. Frankly, every person involved in our Section will provide different reasons for why they got involved and what have been the benefits of their experience. Yet, similar to volunteering time to any organization or group, the more you give, the more you receive.

First and foremost, the YLS provides the easiest and quickest way for young lawyers to get involved in the New York State Bar Association ("NYSBA"). As I wrote in my first Chair's message and in my letter to all new members of the YLS, getting involved in the YLS is as simple as sending an e-mail to me at skossove@lbclaw.com or our Bar liaison, Terry Scheid, at tscheid@nysba.org. Since the YLS is a group of your peers, young lawyers are very comfortable getting involved with the YLS. The more you get involved, the more you will develop a great network of colleagues from around the state that benefits you both professionally and personally.

Of the many opportunities for young lawyers to get involved in the YLS, the two most popular are serving as **District Representatives**, or

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De-stressing: Lawyerly Style

By Deborah Turchiano and Lisa Sherman



Deborah Turchiano

It's hard to find lawyers out there who don't love to complain about how stressed out and time-deprived they are.

However, we lawyers are a clever lot (seven years

of higher education will buy you at least that attribute) and we've figured out ways to de-stress, lawyerly style.

I. De-Stressing In the Office

Even if we're stuck in the office, we are surrounded by all sorts of tension relief devices.

A. Your Electronic Therapist

Pass by any lawyer's office on any given day, and if they are not on the phone or with a visitor, chances are they will be deep in concentration hacking away at their computers. Are they always working on the deal of the century? Of course not! Let's face it: preparing your profile for an on-line dating service looks pretty much the same as revising provisions of a zillion-dollar contract. Because most of us are glued to the computer the vast majority of the workday, high-speed access to the

world outside the office has become the digital equivalent of a smoking break. There are three ways we use the magic box to de-stress.

1. E-mail

For many of us, e-mail is our last vestige of communication to the outside world. We live for the welcoming "ping" or instant-message that so rudely interrupts our real work.



Lisa Sherman

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A Message from the Section Chair

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Liaisons to other sections within the NYSBA. With respect to our district representatives, there are twelve districts, each of which has district and alternate district representatives. These representatives serve their district on the YLS Executive Committee and plan social and CLE events for their district. Our Executive Committee is also comprised of liaisons to all of the other Sections of the NYSBA, such as the Business Law, Municipal Law and Trial Lawyers' Sections. Every Section of the NYSBA has a YLS liaison who also sits on the executive committee of that Section. These positions provide a wonderful opportunity for young lawyers in their particular area of specialty to meet and develop relationships with Bar leaders throughout New York. We have several openings in our district representative and liaison positions, so if you are interested, again please e-mail either Terry Scheid or myself.

The YLS runs many CLE programs throughout the state during the course of the year. YLS members receive discounts to all of our CLE programs. Our two major programs are presented in New York City during the **NYSBA Annual Meeting**. This year the Annual Meeting runs from **January 24–28, 2005**. On Wednesday, January 26, 2005, the YLS will present its Annual Meeting program, from 9:00 a.m. to 12:00 noon. This three-credit CLE program will deal with various topics important to our members, such as balancing work and family, ethics, starting early to plan for your retirement, and the importance of life outside of the office. Later that day we host a cocktail reception, and that evening, all members get together for a casual dinner in the city. I strongly encourage all of you to try and attend these events.

Later that week, on Friday, **January 28, 2005**, the YLS runs its full-day **Bridging-the-Gap Program**. This eight-credit CLE program is designed to cover many different practical issues important to new attorneys, including topics such as attending preliminary conferences, conducting and defending depositions and ethical issues for new attorneys. A featured highlight of this program is that a panel of judges from across the state will provide tips to new attorneys.

We also offer several opportunities for our members to get published. First, this publication, *Perspective*, is always seeking new articles from YLS members. We strongly encourage all of our members to consider this great opportunity. Further, the YLS, for the past few years, has been involved in an exciting endeavor called *On the Case*. This is a program in which all members who volunteer are called upon to write a very brief and general statement that is used by news reporters to help them understand different concepts of the law that they are covering. Since reporters, and not attorneys, use these, our members find them very easy to do because they only require a limited amount of time and a very general explanation of broad principles of law.

The YLS is also very proud of its mentor program. The importance of a mentor cannot be overstated. The **Mentor Directory** is a list of mentors throughout the NYSBA that our

members can contact if they have questions or need help on specific issues. We are in the process of improving and updating our Mentor Directory and are looking for volunteers to help work on this initiative.

Finally, we are again running one of our most exciting programs, our **United States Supreme Court Admissions Program**. The Supreme Court admissions program will take place the weekend of **June 4–6, 2005**. The actual admission to the U.S. Supreme Court will take place on the morning of June 6, 2005. This is a great program that is only available to members of our Section. We combine this exciting program with our **Spring 2005 Executive Committee Meeting** so that our members can enjoy the weekend in Washington, D.C. Presently, the night before the admission, Sunday, June 5, 2005, we have a special dinner planned with a very prominent guest speaker. Two years ago, when we last ran this program, our guest speaker was former Solicitor General and Independent Counsel Kenneth Starr. We are looking forward to another exciting program this June and will be sending materials about this program in the coming months.

In addition to the opportunities and events listed above, there are also additional ways for young lawyers to get involved in the YLS. I, again, strongly encourage all of you to contact Terry Scheid or me to get involved, or if you have any questions about the YLS.

Scott E. Kossove

"Every adversity, every failure, every heartache carries with it the seed of an equal or greater benefit."

— Napoleon Hill (1883–1970) U.S. motivational author

While many of us reside a mere two offices away from our best friend's office, it's much faster to type what you have to say than walk 10 feet away. Besides functioning as critical distraction to mind-numbing document review, e-mail is loved by all lawyers because, devoid of human emotion, it offers completely neutral delivery of any message, even from the most evil partner. Yelling, stomping and degrading tones are undeliverable. It's virtually impossible to detect the mood of the sender and/or tone of the message in most cases (the exception being when you insert those little yellow smiley faces at the bottom of your e-mails to friends) even though you may spend half a day obsessively dissecting every word to try to figure out what was *really* meant by the sender.

E-mail also facilitates our anal-retentive disorder, an ailment with which we are all plagued. We type, review, revise seven times, save as draft, review a few hours later when we've had a chance to think about things, and then send, but only after checking three times to make sure each recipient is correct. Of course, by the time we hit "send," all that is left is the subject line because we're so neurotic that our written words (which can't be taken back or denied) will be misinterpreted, printed and shown to the rest of the world.

Since we are all so time-crunched, e-mail is also perfect for enabling us to multitask—we can have a blow-out fight with our significant other via insta-messaging while simultaneously participating on an overseas conference call, drafting schedules to a deal document and eating lunch. Oftentimes, the mere banging away on the keyboard in a message to our friend about how inconsiderate our boss may be (with the most egregious behavior always spelled out in capital letters) is therapeutic in and of itself because

it takes four times longer to type the story than to tell it. By the time you hit "send," your anxiety has completely dissipated.

2. Surfing

What did we do before the advent of Saint Google? Whether it's looking for a piece of information or just filling our tired noggins with brain candy, we all spend more time than we are willing to admit surfing the Web for periodic stress relief. From the comfort of our office chairs, we can check our stock portfolios (an activity closely followed by a trip to Niemanmarcus.com for many of us if the market is up), plan our next extravagant vacation, read the recipe of the day on Epicurious.com (as if we had time to cook) and watch a movie trailer, all while giving the appearance that we are answering a 50-page interrogatory.

3. E-Shopping

Since most of us don't have time to hit the stores during the week (and for many of us, during the weekends), there really isn't any time left in the day to shop outside the office. For most lawyers (particularly those without the Y chromosome), there is no better therapy than spending our hard-earned greenbacks without leaving the comfort of our chair. A few simple clicks of a button (usually occurring at the tail end of two hours of Web window shopping and price comparisons) and a thousand dollars later (\$300 of which are overnight delivery fees) gets you the fruits of your labor delivered right to your chair.

B. Live Office Therapists (a/k/a Bitching Buddies)

Sometimes, there's only one way to deal with the stressful practice of law without internally combusting: bitching, complaining, kvetching (Yiddish for black-belt, master complaining), grumbling, nagging, nit-picking and whining about how

much everything and anything SUCKS to ANYONE who will listen. For many of us, nothing is more therapeutic than storming into a colleague's office, closing the door and venting (and for many of us in the early years, crying) about the partner who just chewed us up and spit us out. The scenario usually goes something like this:

Evil Partner hands you your red-sea memorandum and tells you that you "dropped the ball" and missed an important research point, so you can't leave the premises until it's done (which won't be until next Tuesday because it's so complicated and you have no idea what you're doing). You run into your Bitchin' Buddy's office, call Evil Partner all of the George Carlin words you can't say on TV, and threaten to: (1) quit; (2) give up your personal trainer; (3) sell your Hamptons share; and (4) open a flower shop. After consuming 300 M&M's with your buddy, she calmly reminds you that: (1) you are florally challenged and a herbicidal maniac; (2) because all of the other people in your Hamptons house are lawyers, there is a transferability restriction on your share; and (3) without a personal trainer, you would develop an incurable case of Lawyer Ass Spread Syndrome (the dreaded "LASS"). Before you know it, you have calmed down, regained your composure and even discussed how you may go about tackling the memo from Hell (thereby rendering the entire bitching session billable).

II. De-stressing Breaks

Even the most obsessive billing machine cannot be in the office 24/7. Everyone needs a break. While short breaks (i.e., bathroom runs or grabbing a sandwich to eat at your desk)

are generally accepted, lawyers tend to be neurotic about letting anyone know that they have left their workstation for anything more than that (thereby causing every attorney to brainwash their secretary to always tell callers that "lawyer X just stepped away from his desk, may I take a message?").

A. Midday Breaks

So what are lawyers doing when they take their long midday breaks that are completely unrelated to work? While marathon-eating escapades do occur from time to time during the "extended lunch break," this break usually has nothing whatsoever to do with food. Most of us will use the midday work reprieve for shopping, workouts, interviewing with kinder and gentler firms, mani/pedis for the ladies, shoe shines for the guys, doctor (and shrink) visits, or running home to visit baby, pet or pillow.

B. The Nightly Break

At the end of the workday (assuming there is an "end") even the most dedicated workaholics tend to vanish without a trace. Most of us understand that preparation for this type of break is much more extensive than the other breaks because it's a bigger time commitment away from billing (i.e., at least 6 hours). Even amateurs know that at a minimum, you should consider littering your desk with paperwork and open books, leaving an open lit-bag (the one you never use) in your client chair, throwing a suit jacket behind your chair and of course, leaving the lights on. More experienced attorneys may also leave an extra set of keys and glasses on their desk, along with a half-eaten sandwich, in addition to spraying cologne in the air to give the impression that you "must have just stepped away."

C. The Vacation Break

Many lawyers confess that they live to vacation and vacation to live. Since lawyers generally have a low tolerance for boredom, nothing but

the most exotic, adventurous and luxurious holidays will do. No sooner do we return to post-vacation Hell than we start researching our next journey. As an aside, it seems that the Blackberry does not function optimally in cold climates, European countries, and while flying at altitudes of 30,000 feet. Perhaps this would explain why so many lawyers are now vacationing in Alaska, Italy and/or Costa Rica.

III. De-stressing Outside the Office

Once we have escaped the office, there are a myriad of diversions we turn to for relaxation. The most obvious de-stressor, of course, should be doing nothing and getting some sleep. For most of us, however, peace, quiet and solitude drive us mad after about 10 minutes.

A. Exercise

While almost all of us shell out money to belong to a health club, the trouble with exercise is that, like eating, lawyers can't seem to do it in moderation. We don't feel fulfilled unless we submit ourselves to hour-long, high-impact cardio workouts where our heart rate tops 170 and sweat drips out of every pore of our body. We can't just jog three miles—we have to train for marathons.

On the other hand, if we suspect that we have anything less than an hour to kill ourselves, it's not even worth it to waste our precious time. Similarly, if we don't stick to our new carb-free, under-1,200-calorie fantasy diet (i.e., we binge on a giant size bag of Hershey kisses in the morning, indulge in a greasy burger and fries at noon, and slurp down a Carmel Macchiato at 3 p.m.), all the working out in the world will not burn off those calories, so why bother?

B. Canine and Feline Therapy

What better way to help you de-stress than to know that you have a furry companion who loves you unconditionally, doesn't talk back and thinks you are the nicest,

smartest, most loving person that ever walked on the face of this earth? Although it may be scary for a risk-adverse, obsessive-compulsive lawyer to be responsible for keeping something alive other than herself (and we barely manage to do that sometimes), lawyers say there's nothing like it. A simple lick, bark, snuggle or wag of the tail can brighten even our worst days. And it's blatantly clear that you will never find a significant other who can live up to this perfect furry lover. Relationships involve mind games, sexual needs, and battles over the remote controls. All your snuggly boarder wants from you is a scratch on his tummy and a toss of the tennis ball. And they will never correct your grammar or punctuation, either.

C. Hobbies

Lawyers have a fascination with signing up for classes that will ostensibly unleash their creative juices which have been quashed by the practice of law. Despite our initial curiosity in, for example, cooking and pottery classes, and tennis and golf lessons, our interest generally peters out after the first few classes when we discover that we are completely mediocre in these activities. Yet again, we are hit by the brutal reality that we cannot give up our day jobs.

D. Professional (i.e., Expensive) Therapy

For those of us who remain stressed-out messes despite our computer therapy, breaks and outside diversions, it may be time to hit the professional's couch. Formerly a stigmatized activity limited to crazy people, it has now seemingly become a mandatory line-item on every lawyers' maintenance budget. The only problem is, we usually don't have enough down time to research the perfect therapist for our particular problem, and even when we manage to finally pick a shrink, we incur even more stress when we worry about whether or not we'll be able to fit the appointment into our

busy schedule. In fact, some of us may have to retain therapist #2 to make us feel better about repeatedly canceling on therapist #1 due to "work-related emergencies." Whatever these highly paid listeners do, however, seems to be working. Or maybe we are just nostalgic for the Socratic method of our law school days—we long for the perpetual circular reasoning and illogical analysis in which we eventually wind up answering all of our questions ourselves anyway.

IV. Relax!

The first few years of practice knocks even the most hardened attorneys off balance, and sometimes the only thing that keeps us from

falling flat on our LASSES are our comrades in training. Seek out your Bitchin' Buddies early in your career and make nice with your electronic therapist. And don't forget, if all else fails, at least you'll be making enough money to pay someone to tell you that you are still sane.

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The above article is excerpted from Chapter 8 of a new book entitled *Sisters-in-Law: An Uncensored Guide for Women Practicing Law in the Real World*, by Lisa Sherman, Esq., and Deborah Turchiano, Esq., and is reprinted here with permission.

"We are what we repeatedly do. Excellence, then, is not an act, but a habit."

— Aristotle

REQUEST FOR ARTICLES

Perspective welcomes the submission of substantive articles, humor, artwork, photographs, anecdotes, book and movie reviews, "**Sound Off!**" comments and responses and quotes of timely interest to our Section, in addition to suggestions for future issues.

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