

In the News



James S. Grossman has been elected to serve as Managing Director of the Rochester office of **Hiscock & Barclay, LLP**. His practice focuses in the areas of Real

Property Tax and Condemnation, Corporate, Real Estate and Health Care and Human Services.

Monroe County Supreme Court Justice Joseph D. Valentino is now the supervising judge of the criminal courts. He replaces the Hon. Patricia D. Marks, who retired at the end of January.

Jeffrey A. Wadsworth has been named a partner at **Harter Secrest & Emery LLP**. He is a member of HSE's trial practice group, maintaining a general litigation practice focusing on business and commercial disputes.



Laura A. Myers has joined the law firm of **Thomas & Solomon LLP** as an associate and will be practicing labor and employment litigation.



Trevett Cristo Salzer & Andolina PC has named **David L. Murphy** as partner and has hired **Allison L. Marley** and **Eric M. Dolan** as associates.

Empire Justice Center has elected two new members to its Board of Directors: **Latonia Early-Hubelbank** with **The Law Office of Anthony A. Capetola**, and **Edward F. Premo** of **Harter Secrest & Emery LLP**.

Luis E. Ormaechea, past participant in the Rochester Diversity Clerkship Program, has joined the law firm of **Underberg & Kessler LLP**. In addition, **Kelly L. Odorisi**

has been named chair of the **Estates & Trusts Practice Group** at the firm and **Edmund J. Russell III** has been elected partner with the firm.

Sarah Snyder Merkel has been named a partner with **The Wolford Law Firm LLP**. She represents clients in both federal and state courts in a variety of civil litigation matters, with a particular emphasis in the areas of commercial litigation and employment defense.



Heidi S. Martinez and **Tony R. Sears** have been elected partners with **Ward Greenberg Heller & Reidy LLP**. Martinez focuses on commercial and intellectual property litigation. Sears represents corporations and institutions in product liability, toxic tort, and commercial litigation.

WINTER/SPRING 2011

THE

Live Online CLE Is Easy

by Elizabeth J. McDonald, Dean, Academy of Law



With much anticipation and, since I can be a bit technologically challenged at times, with some trepidation, I signed up to view our first live online CLE – Business

Law Nuts & Bolts.

It turned out to be a great experience. I had a few technical issues due to the use of an outdated computer, but a very patient and accommodating Peach New Media tech helped out. By the way, this was all my fault. I had neglected to test the computer in advance even though I had been reminded to do so many times prior to the CLE. So it is even more impressive that the tech at the end of the help line was patient and never said, "Hey, didn't you get the zillion e-mails that told you to test your equipment in advance of the CLE date? Why are you calling 20 minutes before the program is set to start?"

Once I was online, I found the system worked very easily. The audio was great. The video was clear. Every once in a while my eyes had difficulty reading the PowerPoint screen through the video screen, but then a lightbulb went off and I realized that I had access to the Powerpoints and all the written material via a window adjacent to the live feed. I am a novice at this, so don't judge me!

It was easy to ask questions - I just typed them on the screen and the question was delivered to the CLE room. The random verification prompts were easy to see when they popped up on the screen. And,

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DOCKET

A newsletter of the Monroe County Bar Association

Join the Foundation at Jazz For Justice on April 1

by Elizabeth A. Wolford, President, Foundation of the Monroe County Bar



The Foundation of the Monroe County Bar has been hard at work planning our inaugural *Jazz For Justice* event. To be held on April 1, 2011, at the Harro East Ballroom, *Jazz For Justice* will be presented in collaboration with the Eastman School of Music and will feature talent from the Eastman School, including the Katie Ernst Quartet (Katie Ernst, Ethan Helm, Gabe Condon, John Fatum), the Trio Eastman (Ben Thomas, Chris Ziemba, Aaron Staebell), and the Bishop/McLeod Organ Trio (Jeff McLeod, Ben Bishop, John Fatum).

Under the leadership of our event chair, the hard-working and always enthusiastic Elaine Cole, we have planned a Bistro-style event with fabulous food and company. Melanie Wolk, a member of the *Jazz For Justice* committee, is organizing a silent auction that will feature some sought-after items that audience members can bid on throughout the evening, as they listen to inspiring jazz music and mingle with other audience members.

As the charitable arm of the Monroe County Bar Association, the Foundation helps to ensure access to the law for underserved populations; it promotes and educates people about the law and the

judicial system; and it serves the community's lawyers – and their clients – in specific meaningful ways. Of course, in order to accomplish these goals, we need the funds to be able to do so.

As I mentioned in my last column, our Raise the Bar Annual Appeal for 2010 was a great success, raising more than \$25,000. However, we need to expand upon our fundraising capabilities in order to make the type of impact in this community that the charitable arm of the Monroe County Bar Association *should* be making.

For years, the Foundation has contemplated presenting an event to help raise funds for the various initiatives that the Foundation supports. We mulled over various

ideas, including the typical lunch with a big-name speaker, but quite frankly none of the ideas inspired or excited us. Then, our fearless Executive Director Mary Loewenguth presented the idea of *Jazz For Justice*.

A number of bar associations throughout the country have apparently been successfully sponsoring this type of event for years. We reached out to some of those bar associations, including the Fairfax County Bar Association in Virginia which has presented this event in collaboration with George Mason University, and the idea was launched. However, without the

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Friday, April 1, 2011
Harro East Ballroom

In collaboration with the Eastman School of Music

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A newsletter of the
THE DOCKET
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Flying Solo – Let MCBA Be Your Co-Pilot

by Susan Schultz Laluk, President, Monroe County Bar Association



I don't have to ask anyone's permission to do anything. It's nice not have to get decisions out of three, sometimes four people, which can be like pulling teeth. So the amount of control that I have over what I'm doing is better for me as a solo artist. (Graham Nash)

Although the quote above is from a musician going solo, it can apply just as well to an attorney sole practitioner. Like Graham Nash, many lawyers prefer to be solo because of the freedom and control it gives them. Some, especially newly minted law school graduates, are hanging out their shingles because of limited employment opportunities in today's tough job market. Whether by chance or by choice, over half of the members of the Monroe County Bar Association are sole practitioners or attorneys in small firms.

I have had the luxury of practicing at a mid-sized or large firm for my entire legal career, so I am able to take for granted many issues that a solo or small firm attorney must handle. When my computer crashes, I call on my firm's help desk, and soon an IT guru is fixing the problem via remote control. If my administrative assistant calls in sick, the office administrator assigns another secretary to help me out for the day. When I have a big photocopy job or need urgent mail delivery, I simply hand it off to our business services staff. I've never had to worry about setting up trust accounts or negotiating malpractice insurance.

When I became MCBA president, and realized how many of our members were solo and small firm attorneys, the board and I decided to make it a priority this year to better serve those members. We realized that instead of guessing what solo and small firm attorneys needed, we should ask them. So, we recently held a Solo & Small Firm Town Hall Meeting to find out how the MCBA can help those attorneys better handle their practices and serve their clients. Maureen Lamb and Gary Muldoon graciously agreed to help us organize the meeting and lead the brainstorming session. Several of our supportive sponsors had representatives and tables at the

meeting to share information with attendees, and donated lunch and wonderful raffle prizes: D4 (formerly DocuLegal), The Ahrens Financial Group, LogicalSolutions.net and Midtown Athletic Club.

Over fifty attorneys showed up, and we were overwhelmed by everyone's enthusiasm and thoughtful ideas. First, we were pleased to learn that many of our solo and small firm members are very appreciative of the programs we already offer: quality CLE, networking, the Lawyer Referral Service, technology training with D4, discounted insurance, and real estate legal forms, to name a few.

Second, we were able to tell attendees about a couple of new benefits we recently began to offer. A few months ago, we started offering most of our CLE programs as live webcasts. What's a webcast, some asked. Streaming video over the internet that allows members to "attend" CLE by watching and listening via their computer, downloading and printing the materials, and even asking questions live. As one of our solos noted, "This helps me attend more CLEs without losing a half day in a busy schedule." Don't be intimidated by the technology, as our webcast provider, Peach New Media, provides wonderful tech support. If the timing of a CLE doesn't fit your schedule, you can watch a pre-recorded program at your convenience.

Another new benefit that we are very proud to offer is our Lawyer Succession Registry. It allows an attorney to designate in advance another attorney to assist clients in transitioning their files to a new attorney in the event of an attorney's disability, death or other unavailability. The information is held confidentially by MCBA, and the service is free to our members. Check out our website, mcba.org, for more information and the registration form. This much-needed program, developed by our Lawyer Succession Registry Committee under the dedicated leadership of Cindy Snodgrass and with a grant from our Foundation, recently won the New York State Conference of Bar Leaders Innovation Award.

Third, the brainstorming resulted in lots of discussion and suggestions for other ways the MCBA can assist solo and small firm

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FOUNDATION'S RAISE THE BAR ANNUAL APPEAL

Thank you to all who contributed to the Foundation of the Monroe County Bar's 2010 Raise the Bar Annual Appeal. Through your contributions, the Foundation raised more than \$25,000, which will support projects like the Judicial Process Commission's Legal Action Project, Rochester Legal Clerkship Diversity Program, Rochester Teen Court...and more.

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Please note: Those donations made after January 1, 2011, will be included as part of the Foundation's 2011 Raise the Bar Annual Appeal, which officially launches around Law Day. If you're interested in making a donation to the Foundation, please send your donation to the Telesca Center for Justice, One W. Main Street, 10th Floor, Rochester, NY 14614 or go to www.mcba.org/foundation.

Foundation's Jazz For Justice

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musicians, the idea would be a non-starter. That's how the Eastman School of Music entered the picture. As one of the pre-eminent schools of music in the country (and the world), the Eastman School was a natural fit for this event. Of course, we needed to convince the School of that!

Fortunately, it did not take much persuasion. We arranged a meeting with Dean Douglas Lowry of the Eastman School of Music, and he could not have been more receptive and enthusiastic. Not surprisingly, the Eastman School is approached with thousands of these types of requests. And while the School must turn away most of these requests, Dean Lowry embraced our concept as a natural collaboration between the ideals of jazz and justice.

Jazz was born as an expression of freedom and the overcoming of adversity. Its roots trace back to a time in this country when injustice was rampant. Unfortunately, to this day, justice remains outside the grasp of many in our community, particularly the poor and oppressed and underserved members of our society. Through this event celebrating jazz and community, the Foundation hopes to be able to make justice more accessible. We are not so naïve as to believe that this can be accomplished through just one event. But collectively, it is through these types of efforts that we can at least be put on the path to greater access to justice and equality for all.

More information will be circulated in the near future about tickets and other details of the event. Tickets will sell quickly so I would encourage everyone to keep their eyes and ears open for details so that you can purchase your tickets as soon as they are available.

At the time of this going to print, we are finalizing our sponsors and underwriters for the event, so if you or your firm is interested in getting involved in that capacity, just let us know. We are thrilled to be launching this inaugural event, and look forward to its success not only this year, but in the many years to come.

Awards Abound for Attorneys at NYSBA Annual Meeting

by Liz Novak, Editor, *The Docket*

Despite the cold, MCBA leadership was filled with a warm glow at this year's NYSBA Annual Meeting in New York City upon receiving the 2011 Bar Leader Innovation Award for the Lawyer Succession Registry Program.

Given by the New York State Conference of Bar Leaders, the award honors a local bar for its public service and innovative programming that enhances the public's understanding of the law.

The program, funded by a grant from the Foundation of the Monroe County Bar, helps lawyers plan for contingencies by designating another lawyer who is willing to assist in the transfer of client files in the event of disability, death or unavailability of the registering lawyer. The program is specifically designed to assist solo- and small-

firm practitioners, as well as their clients.

In addition, Rochester attorney Nancy D. Peck was honored posthumously at the Annual Meeting with the Kay Crawford Murray Award for her lifetime of pioneering work in advancing women in the legal profession.

Sponsored by the state bar's Committee on Women in the Law, the award honors an attorney who works to enhance diversity in the legal profession and whose efforts have advanced the professional development of women attorneys. Peck was co-founder and former president of the Greater Rochester Association for Women Attorneys, and later, president of the National Conference of Women's Bar Association. She was also a founding partner of Gould & Peck.

ing, and additional standard legal forms. We might not be able to solve all of these issues right away, but we are listening. Many members of the MCBA board of trustees were in attendance at the meeting, as well as chairs of key committees (including Strategic Planning, Academy of Law and Lawyer Succession Planning). Many of the solo and small firm attendees also offered to help bring some of these ideas to fruition (if you are willing to help, just give the MCBA a call).

The day after our Town Hall meeting, I received a very gratifying email from one of the attendees thanking the MCBA for all the services we already provide, and for our initiative to improve our offerings to solo and small firms. She ended by saying, "I can't wait to see what 2011 brings!" I couldn't say it better myself!



The MCBA received the 2011 Bar Leader Innovation Award. From left: Anthony R. Palermo, Lawyer Succession Registry committee, former NYSBA President and former MCBA President; David M. Schraver, former MCBA President; Vincent E. Doyle III, NYSBA President-elect; Earamichia N. Brown, Chair, NYS Conference of Bar Leaders; Karla D. Wilsey, Treasurer, MCBA, and Vice-chair, NYS Conference of Bar Leaders; and Elizabeth J. McDonald, Dean, MCBA Academy of Law.

President's Column

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attorneys. One of the biggest issues facing this group of attorneys is isolation, lack of mentors, no one to bounce ideas off of. While the attorneys appreciate the CLE and other networking opportunities MCBA already offers, we are looking at increasing those opportunities, with CLEs and other events targeted specifically for solo and small firm lawyers. In particular, our Academy of Law is planning CLEs addressing various practice management issues and professional development. We are also exploring the possibility of setting up a listserv for members to exchange ideas, and a database to assist in finding appropriate attorneys for cross-referrals.

Our members are also looking for more assistance with IT and other technology issues, help finding affordable office space, qualified secretarial and paralegal staff-

The Future of the Legal Profession

by T. Andrew Brown, Past President of the Monroe County Bar Association



Since graduating from the University of Michigan Law School almost 27 years ago, so much has changed in the way we practice law. Much has been driven by changes in technology and client expectations. The continuing economic downturn has accelerated changes.

What will our profession look like in 20 years? In ten? In five? Will it have the same appeal that inspired so many of us to become lawyers? Will it provide the satisfaction, fulfillment and economic reward that so many of us have enjoyed? In view of the changes we've seen in recent years, along with economic realities, these are not easy questions.

For the past year, I have had the privilege of co-chairing the New York State Bar Association Task Force on the Future of the Legal Profession. Joining me on the Task Force is co-chair, Linda Addison, Partner-in-Charge, Fulbright & Jaworski LLP, New York City, and a dedicated team of private practitioners, in-house counsel and law school deans and professors. We have undertaken the demanding task of examining the current state of our profession to not only assess what lies ahead but, more importantly, to provide a comprehensive list of recommendations and initiatives to be adopted and implemented by the NYSBA, members of the bar and other sectors of the profession. It is our hope that the recommendations will promote and encourage lasting change for the future well-being of the profession.

The Task Force was formed by NYSBA President Stephen P. Younger. President Younger identified four areas of concern, including law firm structure and billing issues, training and education of new lawyers, work life balance, and technology. In addition to many hours devoted by Task Force members to compile and study data on the current state of our profession for insight into the future, many meetings have also taken place to solicit input from the key sectors of the profession. Managing partner forums were held in New York City and upstate, in Roches-

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2010-11 MCBA PRESIDENT'S CIRCLE

Thank you to those who have become members of the recently-established MCBA President's Circle, by generously donating \$250 or more to the Association.

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Thank you to those who have generously donated an additional \$100 with their membership dues to become an MCBA Patron.

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Contact Diane Hill at dhill@mcba.org for more info or to place an order.

Meet Our Next President: Bryan D. Hetherington

by Liz Novak, Editor, *The Docket*



On the evening of June 22, 2011, at the Hyatt Regency, Bryan Hetherington will be installed as the 116th President of the Monroe County Bar Association.

As Chief Counsel of the Empire Justice Center located in the Telesca Center for Justice, Bryan represents the first Civil Legal Services Provider as President of the MCBA.

A graduate of Cornell Law School, Bryan has been involved in Legal Services since the beginning of his career.

"I went to law school to become a public interest lawyer," he said. "I began my career in 1975 at mid-Hudson Legal Services, initially opening a one attorney office in Kingston, Ulster County. After growing the staff in Kingston I was asked to manage the program's largest office in Poughkeepsie."

In 1980, Bryan came to Rochester to become Litigation Director of Monroe County Legal Assistance Corporation.

"I immediately joined the Monroe County Bar Association and became active on several committees, including Continuing Legal Education, Federal Courts, Judiciary, and Strategic Planning," he said.

Bryan has served as Dean of the Academy of Law, a member of the Board of Trustees and its Executive Committee, chair of the Deaf Access Task Force, which developed the DEAFund, Chair of Judiciary Committee and Chair of the President's Commission on Access to Justice.

In 1996, Bryan left Monroe County Legal Assistance Corporation to become Chief Counsel of the Public Interest Law Office of Rochester. In 2004 PILOR merged with Greater Upstate Law Project to become the Empire Justice Center, where he remains as Chief Counsel. Bryan also was very involved in the MCBA-led initiative to co-locate the civil legal serv-

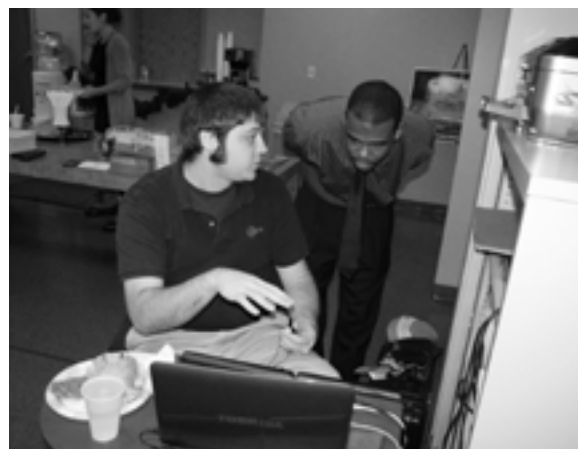
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Easy Online CLE

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finally, it was a piece of cake to type in my evaluations at the end of the program. I was able to print my CLE attendance certificate immediately after I submitted my evaluation.

All in all, it was a very positive experience. Admittedly, I missed out on networking with other CLE attendees and I



Josh McLarty (left) from Peach New Media and Charles Cotton, MCBA, work behind the scenes to ensure smooth sailing for online CLE webcasts.

didn't have the benefit of the great lunch that is always served at our CLE's.

On the other hand, I had the flexibility to squeeze in a CLE on a date where my calendar was otherwise so full that I might have skipped the CLE in its entirety but for the online option.

This is why having a variety of choices in determining how I get my CLE credits is so great. Next up will be viewing one of our many archived CLE programs.

Meet Our Next President

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es providers with the Association in the Telesca Center for Justice.

"As President-elect I have been amazed at the wide breadth of the activities of MCBA and the incredible effort put forth by hundreds of volunteers to improve the association, the profession and our community," Bryan said. "Learning enough about the wide range of the issues faced by the President to make good decisions seems like a daunting challenge, but with the support of the other officers, trustees

and committee chairs there is always someone around who knows enough to help."

Bryan added: "I hope to focus on how the MCBA can assist lawyers in transition next year, particularly those moving to solo and small firm settings."

Save the date for this year's Installation Dinner on Wednesday, June 22, to celebrate Bryan Hetherington as the 116th President of the MCBA.

Awards Committee Announces Three New Awards

by Liz Novak, Editor, *The Docket*

The Awards Committee, led by Thomas Smith, has created three new awards, which have been approved by the MCBA Board of Trustees.

The Outstanding Jurist Award, for which you may have already seen the call for nominations, will be presented at Law Day on April 29. It is to recognize a local jurist who has contributed extraordinarily to the mission of the Monroe County Bar Association.

The Emerging Bar Leader Award is to recognize a member of the MCBA admitted ten (10) years or fewer who has

made a significant contribution to the MCBA through participation on committees or other activities with the MCBA, and who has demonstrated the potential to be a leader in the profession.

The Senior Attorney Award for Service is to recognize an attorney who, in retirement or semi-retirement from the practice of law or government service has contributed extraordinarily and voluntarily to the mission of the MCBA.

Both awards will be presented at the MCBA's Annual Installation Dinner and have a nomination deadline of April 1.

MCBA Benefits Corner: Did You Know?

Make the most out of your MCBA membership and take advantage of some of the benefits below.

Conference Rooms

Members are able to "borrow" conference rooms at the MCBA for free for client meetings, trainings, and more. Simply contact Diane Hill at dhill@mcba.org or 401-7180, and she'll get you scheduled on the master calendar. We also have a Member Office on the premises if you need to use a computer or make a phone call while downtown.

DEAFund

The MCBA has a relationship with Lifespan Interpreting Services to deliver simple-to-arrange affordable, and competent interpreter services to attorneys for the benefit of deaf clients. The Fund provides member attorneys with reimbursement for the cost of interpreters hired through the program. Please contact Kathy Fico at 402-7184 or go to www.mcba.org.

Ethics Submissions

The Ethics Committee serves MCBA members by responding to inquiries from attorneys about ethical obligations and their future conduct to assist them in their daily practice. The committee makes recommendations to the Board of Trustees for formal written opinions in response to written requests from attorneys. To submit an inquiry, please email Ethics Chair James Townsend at jtt@remgiff.com.

Extensive CLE Offerings at a Discount

The MCBA offers a wide breadth of live CLEs – in person and now online – all at a member discount rate of 40%. In addition, there is an extensive library to view discounted pre-recorded programs onsite or in a home or office. For more information, visit the CLE program calendar at www.mcba.org or contact Program Manager Louise Spinelli at 402-7189.

Lawyers Concerned for Lawyers

The MCBA's Lawyers Concerned for Lawyers Committee's focus is to offer assistance to those suffering from alcoholism, drug addiction, mental stress, depression, and/or other mental illnesses. Help can be accessed 24 hours/7 days a

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Future of the Legal Profession

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ter, to solicit views and trends being observed by managing partners of firms of all sizes throughout the state. In addition, the entire NYSBA membership was surveyed for input.

The Annual Meeting of the NYSBA that took place at the end of January in New York City highlighted some of the work of the Task Force at the Presidential Summit, the centerpiece of the weeklong conference. I served as moderator of a panel discussing the future

of our profession. New York City Mayor Michael Bloomberg joined the panel and shared his views on the future and the positive role that lawyers could play in shaping economic and social policy. Also joining me on the panel were leading national figures that have played significant roles in forecasting, and helping to shape, the future of the profession. The Summit panel addressed significant changes facing our profession and the lasting impact.

Also revealed during the Annual Meeting were some of the Task Force's recommendations for shaping the future. While the space of this article will not allow me to discuss the full list of recommendations, I can say that they cover all four areas of the Task Force's concern. They address needed change in law

firm structure and billing methods, necessary changes in educating and training new lawyers in and after law school, work life balance initiatives necessary to meet the needs of today's practicing lawyers, and the role for technology in bringing about positive change.



NYSBA President Stephen P. Younger speaks at a Managing Partners Forum held in Rochester in November at The Rubin Center for Education at the Telesca Center for Justice.

During the Annual Meeting the recommendations were shared and discussed in meetings with past presidents of the NYSBA, and the Executive Committee and the House of Delegates of the NYSBA. A

meeting was also held with the deans of all of the law schools in New York State to discuss current law school teaching models and calls for change. Attending the meeting with the deans was Chief Judge Jonathan Lippman and Associate Judge Victoria A. Graffeo of the Court of Appeals to provide comment and input on the role of the Court and the bar exam in shaping the future.

The Task Force recommendations will lead to a more satisfying and rewarding practice for generations to come, without compromising the quality of services expected by clients. Only by endeavoring to undertake the necessary changes to meet future needs and expectations of lawyers and clients will we be assured of a rewarding and promising future.

Benefits Corner

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week through any member known to the community or its hotline at 234-1950.

Lawyer Referral Service

If you would like to grow your practice and are interested in receiving referrals from the Lawyer Referral Service, consider becoming a panel member – a service available to MCBA Members Contact Mark Swail at 402-7187 for more information.

Lawyer Succession Registry

The award-winning Lawyer Succession Registry is free to MCBA members. It enables attorneys to plan for law practice contingencies by designating in advance another lawyer to assist in the transfer of client files in the event of attorney disability, death or unavailability. For more information, contact Kathy Fico at 402-7184.

Payroll Tax Change Highlights for 2011

by Ralph Fortunato, USA Payroll

The IRS has announced several payroll related tax law changes for 2011. Below is a recap of these changes.

Advance Payment of Earned Income Credit (EIC) Discontinued

The IRS has discontinued the option of receiving advance payroll payments of Earned Income Credit as of December 31, 2010. For 2011, individuals eligible for EIC can claim the credit when they file their 2011 federal income tax return. If any employees expect to be eligible for EIC and will have income tax withheld from their wages in 2011, they can reduce their withholding in order to receive the benefit of a portion of the credit throughout the year.

www.irs.gov/pub/irs-pdf/p15.pdf

Elimination of Federal Tax Payment Form 8109-B

Effective January 1, 2011, the IRS no longer accepts federal tax deposits by paper coupon (Form 8109-B). Employers need to make these payments via the Electronic Federal Tax Payment System (EFTPS), which is the IRS preferred method.

www.irs.gov/pub/irs-pdf/p15.pdf

FUTA Tax Rate

The FUTA Tax Rate remains at 6.2% through June 30, 2011. However, the FUTA Tax Rate is scheduled to decrease to 6.0% beginning July 1, 2011.

www.irs.gov/publications/p80/ar01.html

Optional Reporting Requirement for Employer-Provided Health Insurance Coverage

As part of the Affordable Care Act, the IRS requires employers to report the value of the health insurance coverage they provide employees on each employee's annual Form W-2 starting in tax year 2011. However, the IRS has deferred the reporting requirement for 2011, making the reporting by employers optional in order to provide employers the time they need to make changes needed for this requirement. Employers may choose to optionally report this information on W-2s.

<http://www.irs.gov/newsroom/article/0,,id=220809,00.html>

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Payroll Changes

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Reduction in Employee Social Security Withholding Tax Rate

As part of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act that was signed into law on December 17, 2010, the employee Social Security withholding tax is being reduced from 6.2% to 4.2% beginning in 2011. The employer Social Security withholding tax rate remains the same at 6.2%. The reduced employee Social Security withholding will have no effect on the employee's future Social Security benefits. The IRS released Notice IR-2010-124 explaining the details of the payroll tax cut and Notice 1036 including the new Federal withholding tables to be used for 2011. For more information, please refer to

the IRS website: www.irs.gov/newsroom/article/0,,id=232590,00.html or www.irs.gov/pub/irs-pdf/n1036.pdf.

Standard Mileage Rates

The 2011 optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes are: 51 cents per mile for business miles driven; 19 cents per mile driven for medical or moving purposes; 14 cents per mile driven in service of charitable organizations. Taxpayers always have the option of calculating the actual costs of using their vehicle rather than using the standard mileage rates. <http://www.irs.gov/newsroom/article/0,,id=232017,00>

Why All of the Interest in Long-Term Care Planning?

by Richard E. Lash, Long-Term Care Specialist, The Ahrens Financial Group

Long-term care doesn't happen to you. It happens to people you love.

When asked, many think long-term care is about nursing homes. It's not. The reality is that long-term care is not a place, but a full-scale response to an event or condition. It describes the care you need if you become incapacitated, either physically or cognitively.

By definition, these conditions severely compromise your ability to get through the most basic of daily routines. In reality, the need for long-term care is a safety issue that requires 24 hour a day attention. Since you are no longer safe, those you love are forced to re-orient their lives to make sure that you are. This change can have a devastating impact on their emotional and physical wellbeing. You may not want your spouse or children to set aside their lives, but respectfully, what choice would they have?

Long-term care can be ruinous to the best thought out retirement plan. Many people believe that a federal program such as Medicare or Medicaid or the VA, if they are Veterans, will pay for their care. These programs primarily cover medical procedures or rehabilitative care. Long-term care requires custodial care, which is defined as the assistance or supervision that a person who is physically or cognitively

impaired needs in order to get through the day. With few exceptions, no federal or state program will pay for custodial assistance over an extended period of years.

The value of a plan. No one can guarantee that you won't need care. But you can create a plan that will help protect the wellbeing of your spouse and children if you ever do. The plan has two goals: To preserve your family members' emotional and physical wellbeing by allowing them to hire professionals to provide care; and to preserve your retirement portfolio.

What steps has the MCBA taken to help its members? The Ahrens's Financial Group has designed both an educational program and an open long-term care insurance platform for members, their employees and families. So instead of offering limited plans at a discount, we have negotiated an "across the board" discount.

On a regular basis, we present informational sessions over coffee/bagels or a light lunch at the MCBA offices. The next ones are 8:30 a.m., Noon and 4:30 p.m. on March 16. Rich also is available for individual appointments in your office. For your long-term care insurance questions, please contact Richard Lash, CLTC, LUTCF Long-Term Care Specialist 1-800-852-5570.

SAVE THE DATES

JAZZ FOR JUSTICE

Friday, April 1
6:00-10:00 p.m.
Harro East Ballroom
155 N. Chestnut Street
In collaboration with the Eastman School of Music

LAW DAY LUNCHEON

Friday, April 29
Noon-1:30 p.m.
Riverside Convention Center
123 East Main Street
Celebrating the legacy of John Adams

LAW DAY CLE: JOHN ADAMS

Featuring Brian Mizer - Represented Accused al Qaeda figure

Tuesday, May 3
9:00-11:30 a.m.
The Rubin Center for Education
Telesca Center for Justice, 5th floor
One W. Main Street

PAST PRESIDENT'S DINNER

Tuesday, May 17
6:00-8:30 p.m.
Bamba Bistro
282 Alexander Street

INSTALLATION DINNER: BRYAN HETHERINGTON

Tuesday, June 22
5:30-9:30 p.m.
Hyatt Regency
125 East Main Street

MCBA PHOTO GALLERY



Maureen Lamb addresses the crowd during the MCBA's Solo & Small Firm Town Hall Meeting on Friday, Feb. 4.



Lawyers for Learning mentor Kristi Hughes and her student Imani Johnson enjoyed the Annual Lawyers for Learning Family Dinner last month.



Robin Marable, Sheila Gaddis, and Michelle Nobile enjoy the MCBA's Annual Bench & Bar Holiday Celebration.



Member judges were honored at this year's Annual Bench & Bar Holiday Celebration.



At the Young Lawyers Section holiday party, (from left) Justin Stevens and Joe Nacca of Sage Rutty & Company posed with James Paulino, chair of the Young Lawyers Section.



From Left: Daniel Overbeck, Lori Bonner of Bank of America, and Judy Loeb enjoyed the Trust & Estates Section Holiday Lunch in December.

BAR MARKETPLACE

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Open dialogue

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6th – 12th grade from Noon to 2:30 p.m.

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