

BBA's 'Cure' for No-Holds-Barred 'War of Roses'

Some matrimonial lawyers end up bearing scars, occasionally literal, of combat. Clients invade the opposing lawyer's office, place mysterious phone calls at all hours of the night and even try to trick the court into believing that the other spouse is abusing one of the children.

Only too often we hear of a colleague who got punched by an angry client. Or, as most common these days, he received a catastrophic "review" online that resulted in an appearance before the Grievance Committee.

Then there is the dilemma inherent in representing a friend, also a matrimonial client, whom you see at social or professional events. They might feel free to question you about the case

BBA President Andrew Fallek Views Proposed Pro Bono Rules

It's hard to find a lawyer hereabouts who favors Chief Judge Jonathan Lippman's "voluntary" pro bono reporting requirement regarding the biennial filing of pro bono work done for the needy as well to as disclose their financial contributions to groups that provide "legal services to the poor and underserved."

Chief among those questioning the precedent-setting rules is Andrew Fallek, president of the Brooklyn Bar Association, whose article on this subject in the *Brooklyn Barrister* received nothing but praise from lawyers we talked with.

"There are a number of areas

ing a lawyer's pro bono history?" In addition to any privacy issues, President Fallek believes that public disclosure "really sidesteps the whole pro bono issue."

The foregoing is only part of what Fallek had to say in the *Brooklyn Barrister*. Next week, we'll enjoy more of his line-by-line analysis of Judge Lippman's remarkable initiative.

Will Historic Ft. Hamilton Shut Down, Opening a Real Estate Bonanza?

Property prices, like the stock market of late, are getting hotter, especially in Brooklyn. In keeping with the needs of the times, BBA CLE Director Meredith Symonds and her Brooklyn Bar Association team have selected a timely sub-

Pro Bono Barrister

By Charles F. Otey, Esq.



tagon's base closure commission. But, with the recent announcement of drastic slashes in the Pentagon's budget by President Obama, many fear that Fort Hamilton's days are finally numbered.

Threats to Fort Hamilton have traditionally gathered opposition from both sides of the political aisle, and this year would be no different: Incumbent Republican-Conservative Congressman Michael Grimm has said he will

de Blasio has apparently not yet weighed in on the Fort Hamilton Base issue, but some Republicans are saying he won't fight to save it.)

Both may cite the warlike situation in Ukraine, where Russian President Vladimir Putin is exercising his muscle, as clear proof that this is not the time to be downsizing the Army, especially if it involves shutting the only military installation in New York City. The



BBA President Andrew Fallek



Rose Ann Branda, chair, BBA Family Law Committee



Congressman Michael Grimm



Former Councilman Domenic Recchia



Former Congresswoman Susan Molinari

in the most awkward of circumstances, and they very often do.

Handling a matrimonial doesn't have to descend into a "War Of The Roses" scenario — where Michael Douglas and Kathleen Turner really "take the plunge" — if counsel can only get their clients to agree to mediation. That classic "battle of the sexes" movie might have had a different climax if the parties had only gone through mediation.

In keeping with a theme of more polite divorce pacts, Brooklyn Bar Association CLE Director Meredith Symonds announces a timely program: "When It's Not 'War of the Roses': Matrimonial Mediation." It's a luncheon presentation, set to take place Wednesday, March 19, 12:45 a.m. to 2 p.m. at BBA headquarters, 123 Remsen St. (Bring your own lunch.)

The BBA's Family Law Committee, chaired by Rose Ann Branda, has arranged for a stellar panel including attorneys Catherine Canade and David Reilly.

They'll go into meaningful detail, which Ms. Symonds' literature indicates will be helpful, especially to new practitioner:

"The elements and steps in a mediated divorce; the mediator's role; the types of clients who would be best suited for mediation; achieving success by addressing challenges that can arise, including the role of review and consulting attorneys, financial planners, therapists and other professionals; timing and costs."

Sponsoring this session are the East Coast Appraisal Service and Investors Bank. For more information, contact Meredith Symonds, Esq. at (718) 624-0675, ext. 206 or msymonds@brooklynbarrassn.



NYS Chief Judge Jonathan Lippman



Former Congressman Vito Fossella



Civic activist Bill Guarinello

of controversy surrounding this (Lippman proposal)," he noted, starting with

"(1)The manner in which it was imposed (no consultation with the Bar at all).

"(2) The limits on what is considered pro bono (work for the poor and underserved is covered but no other volunteer work for organizations like bar associations and interest groups)."

In addition, President Fallek noted in his third point, "The feeling that this is not exactly voluntary and despite statements to the contrary, will soon become mandatory if we fall short of aspirational goals (if OCA was pleased with what lawyers are already doing, why would they need specifics?)"

His fourth point is "that our financial contributions will be made available to the public.

Opposing this, he adds "is a strong argument (does the public really have an interest in know-

ject for their March 20 session: "Hot Topics IN NYC Land Use."

The controversy swirling around the LICH "sale" has made many headlines, especially in the *Brooklyn Daily Eagle*, which presented the most consistent and informative articles written by over the past year or so by Mary Frost.

But there may be something new to add to Brooklyn's property boom mix. Now, another choice parcel of Brooklyn land, the 180-acre historic Fort Hamilton, is being considered for closure by the Pentagon. The issue has been immediately accorded center stage by Republican Congressman Michael Grimm and his likely opponent, former Democratic Councilman Domenic Recchia.

For decades, developers have been eyeing the 180-acre installation resting on super-prime real estate that tops the easternmost ridge of Bay Ridge. The surrounding communities have successfully lobbied to stymie the Pen-

do all he can to preserve the fort and its impressive battlements. (Earlier Fort Hamilton backers included Congresspersons Susan Molinari, Vito Fossella and Michael McMahon.)

Guarinello's Committee Leads Efforts to Save Fort

Now, Grimm's likely Democratic opponent, former Councilman Domenic Recchia, has pledged to fight to spare Fort Hamilton from the chopping block, so they will be on the same side. Who will have more clout?

Grimm can boast he has the ear of powerful House Speaker John Boehner, who wants to snuggle up with reasonable right-wingers — like the two-term Staten Island/Bay Ridge former Marine — who have demonstrated their loyalty.

Recchia can counter with bringing in two Democratic senators — Sen. Chuck Schumer and Sen. Kristen Gillibrand. (Mayor

longer the Ukrainian crisis lasts, the better are Fort Hamilton's survival chances.

Leading any anti-closure attempt will be HeartShare Executive Bill Guarinello, in his civic role as chair of the Fort Hamilton Citizens Action Committee. This is a panel of prominent local and countywide volunteers who have as their main goal the preservation of this installation, which has become a "vital part of Bay Ridge and Bensonhurst life," according to one member.

In view of the crisis stirred by Russia's intrusion into Ukraine, the base, which got its official start about 160 years ago, is now more likely to spared than it was a few months back.

There will be special problems for would-be developers when it comes to selling off the decommissioned property left when an army facility is closed. Some of these may be discussed when the BBA CLE panel which includes BBA Real Property Law Chair Mark Caruso and attorney Kevin Dwaraka, convenes at 6 p.m. on March 20.

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