

STAR Watch

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Microsoft Windows 7 Has Arrived

On October 22, Microsoft released Windows 7, its newest operating system for worldwide sale. Unlike the release of Vista, which was accompanied by lukewarm reviews at best, Windows 7 appears to have the press and reviewers in agreement: It might be the best operating system Microsoft has ever produced.

Many of the industry mavens have even toned down their usual cautionary advice ("Wait until Service Pack 1 is released") and are recommending upgrades to Windows 7 sooner, rather than later. If you are ready to move to Windows 7, do you know what is involved?

Upgrading to Windows 7: The good news and the bad news...

If your computer is currently running Vista, upgrading to Windows 7 should be a reasonably simple task. However, if

you stuck with Windows XP while waiting for something better than Vista to come along, there is some good news and some bad news.

The good news is that an operating system that is much better than Vista has arrived. The bad news is Windows XP cannot be "upgraded" to Windows 7.

Before anyone becomes too upset by this restriction, it would be well to remember that Microsoft has never allowed users to

skip over operating versions when upgrading.



Windows 7



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If XP cannot be upgraded to Win7, what can users do?

In order to get from Windows XP to Windows 7, a lot more work is involved. The simplest way to get Windows 7 onto a computer that currently is running XP is to save all data files to another storage device, do a "clean install, reinstall all applications, apply all updates and patches to the applications, and finally reload all of the data files. While this method is theoretically superior to upgrading, most users don't have the time or patience to do this.

Microsoft claims to have a product included with Win7 that can help users to locate and move data files to a storage device, then move them back. The product, called Easy Transfer Wizard, appears to be very helpful. In a limited way, it is. It will locate and transfer the following information:

- User accounts
- Documents
- Music
- Pictures
- E-mail
- Internet favorites
- And more (Whatever that might be)

Unfortunately, it will not transfer any user applications. Users are still obligated to find all of the installation CDs or DVDs for their applications, then find all of the updates and bugfixes. Other than

transferring user accounts and email, this doesn't help that much.

One possible upgrade solution...

Before we describe a product that might actually be helpful in upgrading Windows XP computers to Windows 7, we must be perfectly honest: We have not tried this product. That said, we feel that the product comes from a well-established computer software vendor who has marketed products that we have used in the past.



The product is PCmover Windows 7 Upgrade Assistant (from LapLink) which sells for approximately \$30 per copy. In the simplest terms, Upgrade Assistant does everything that Microsoft Easy Transfer Wizard does,

but it will also allow users to migrate applications. The operation of this product is similar to Easy Transfer Wizard: All data files and applications must be copied to an external storage device, the computer's hard drive is wiped clean, Windows 7 is installed, then data files and applications are loaded back onto the computer from the external storage device.

And finally...

Regardless of which upgrade method is chosen, We have one last word of advice: Make sure to back up everything on the computer before attempting any of these three methods. Sometimes, stuff happens.



More Online Trainings Available

Three new trainings are available for viewing over the web by attorneys and staff. There is a processing fee for CLE credit. In most cases, there is no charge for viewing these trainings, but everyone who wishes to view these trainings must register. All of the trainings in this article will be available by November 1, 2009.

To view the trainings...

- Start up your web browser and go to this location: <http://onlineresources.wnylc.net>
- On the left side of the screen, click on "Online Training"
- Click on the desired training; a registration form will be displayed
- Fill out the registration form; then click on "Submit form"
- A link to the presentation will be sent to the email address provided in the registration form

If you are an attorney and wish to receive CLE credit, you must fill out the course evaluation and attorney affirmation forms and mail it to the address on the form along with payment for processing of the CLE credit request. New York State Bar Association rules require that the forms be

mailed. They cannot be submitted electronically.

Newly admitted attorneys in New York State can not receive CLE credit for online training.

If you are an attorney who is not licensed in New York State and want CLE credit, please check to see if your state allows New York State CLE credits to be applied to your state's CLE requirements.

Language Access 101: The Rights of Limited English Proficient (LEP) Individuals

This training explains the right of limited English proficient (LEP) individuals to receive meaningful access to services and programs that receive federal financial assistance. It explains the obligations of Title VI of the Civil Rights Act of 1964 (Title VI), Executive Order 13166, federal agency guidance documents, and requirements under New York State as they apply to recipients and sub-recipients of federal assistance including:

- Law enforcement agencies
- State courts
- Health care providers and hospitals



- Public benefits and welfare offices
- Social Security Administration offices
- Public housing providers

The handout materials explain the language assistance requirements of each recipient of federal assistance and the process for filing an administrative complaint. The presentation includes video clips from three federal agencies illustrating best practices when working with LEP individuals.

This presentation was recorded at a training provided to the Rochester United Way Latino Leadership Development Program on September 15, 2009 and includes questions and discussions from the participants.

Date of original presentation: 09/15/2009

Presenter: Michael Mule', Esq., Empire Justice Center, Rochester, NY

Viewing time: 2 hours 40 minutes

CLE Credits: 3.0 Professional Practice

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is requested.

Childhood Disability: The 2009 Childhood Social Security Rulings (SSRs)

Eight new Social Security Rulings (SSRs) dealing with the evaluation of functional equivalency in childhood disability claims and continuing disability reviews (CDRs)

were published in the *Federal Register* (74 Fed Reg. 7527 *et seq.*, February 17, 2009, and 74 Fed Reg. 7625 *et seq.*, February 18, 2009). They became effective thirty days after they were published and will remain in effect until further notice.

The first two of the new SSRs for “Determining Childhood Disability Under the Functional Equivalence Rule” address overall aspects of the functional equivalence process:

- The “Whole Child” Approach
- Documenting a Child’s Impairment-Related Limitations

The remaining six SSRs deal with the six domains of functioning that are part of the functional equivalence process:

- Acquiring and Using Information
- Attending and Completing Tasks
- Interacting and Relating with Others
- Moving About and Manipulating Objects
- Caring for Yourself
- Health and Physical Well-Being

In this training, these SSRs are analyzed in detail along with their impact on each domain of functioning along with their impact on each domain of functioning and advocacy tips for using the SSRs in proving disability in children’s disability cases

This training also provides a brief overview of the children’s SSI program, including concepts of medical and functional equivalence to the Listings.

Date of original presentation: 09/22/2009



Presenters: Louise Tarantino, Esq., Empire Justice Center, Albany, NY and Catherine M. Callery, Esq., Empire Justice Center, Rochester, NY

Viewing time: 2 hours 5 minutes

CLE Credits: 2.5 Professional Practice

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is requested.

Introduction to Disability Law

This two part training will cover the fundamentals of disability law practice. Part one will define disability and explain in depth the Supplemental Security Income (SSI) program and Social Security Disability Insurance (SSDI) program and the differences between these two programs. Sources of law, resources and the appeals process will be presented. The method of analyzing whether disability exists using Social Security's 5-step Sequential Evaluation process will be introduced, focusing on the steps one through three with an emphasis on the listings of impairments. Part two of this training takes a more in depth look at developing and winning claims at step 5 of the sequential evaluation process, using the Grids and assessment of non-exertional impairments. The use of vocational experts and medical experts will be discussed, and a sample evidence file will

be reviewed. Hypothetical examples are used to help understand the complex nature of Disability Law.

Date of original presentation: 10/29/2009

Presenters: Louise Tarantino, Esq., Empire Justice Center, Albany, NY and Catherine M. Callery, Esq., Empire Justice Center, Rochester, NY

Viewing time: 1 hour 58 minutes (Part 1)
2 hours 3 minutes (Part 2)

CLE Credits: 2.0 Professional Practice for Part 1 and 2.0 Professional Practice for Part 2

Cost for viewing this training if CLE credit is requested: If CLE credit for Part I and Part II is requested, the cost is \$90.00 for Not-for-Profit Agencies; \$150.00 for Private Practice Attorneys. If CLE credit for only one part is requested, the cost is \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is requested.





WNYLC Web Statistics For September 2009

Total Hits.....490,019
 Number of Pages Viewed.....154,171
 Total Visitors.....64,739
 Average Hits/Day.....16,333
 Average Pages /Day.....5,139
 Top Web Browsers Used:
 Internet Explorer 8.x.....12%
 Internet Explorer 7.x.....30%
 Internet Explorer 6.x.....20%
 Firefox.....11%
 Safari.....1%

Top Operating Systems Used:
 Windows Vista.....14%
 Windows XP.....52%
 Windows 2000.....4%
 Windows 98.....<1%
 Mac OS.....1%



WHO WE ARE

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