



Judge Lippman's Initiative Increases Funding for Central New York Legal Services Providers

By Jim Williams, *LSCNY Staff Attorney*

On August 23, 2013, the Oversight Board for Judiciary Civil Legal Services in New York announced its intent to award additional grants for the 2013-14 period totaling \$15,000,000 to 57 providers of free civil legal services to low income people throughout New York State. Central New York recipients and grants include: Legal Services of Central New York (LSCNY), \$1,293,861; Frank H. Hiscock Legal Aid Society (HLAS), \$395,477; Legal Aid Society of Mid-New York (LASMNY), \$254,274; and the Onondaga County Bar Association Volunteer Lawyers Project (VLP), \$97,200. The size of the awards is based on the population of people living at or below the poverty level in the counties served by the agencies.

This funding is part of an initiative led by Chief Judge Jonathan Lippman first announced in 2010, overseen by the Oversight Board and advised by the Chief Judge's Task Force to Expand Civil Legal Services in New York. The focus of this initiative is the ongoing crisis related to the unrepresented in New York's Court System. In its most recent report, the Task Force reported that each year, more than 2.3 million low-income New Yorkers must navigate the complexities of the State's civil justice system without the assistance of counsel in disputes over the most basic necessities of life – housing, family matters, access to healthcare and education, and subsistence income. The Task Force concluded that this crisis not only prevents unrepresented parties from receiving full access to justice, the crisis also burdens the court system and represented parties by requiring Judges and court personnel to devote greater time to cases involving unrepresented New Yorkers than would be necessary if currently unrepresented parties had the assistance of counsel. In addition, the Task Force concluded that the crisis also burdens the State of New York by reducing the amount of federal assistance for New Yorkers and increasing other costs arising from poverty.

Judge Lippman's initiative began in 2010 in the wake of the worst economic downturn since the Great Depression. One

of the results of the downturn was the dramatic decrease in funds that had been available from the Interest on Lawyer Account Fund of New York State (IOLA), which provides funding for legal assistance to low-income New Yorkers. As a result of the decline of interest rates over the past five years, annual IOLA revenue available for civil legal services has plummeted from \$32 million annually in 2008 to only \$7 million in 2012.



Chief Judge Lippman

In its first report in 2010, the Task Force proposed a multi-year plan to allocate funding within the Judiciary's budget for civil legal services for New Yorkers in all areas of the State who are living at or below 200 percent of the federal poverty level (\$46,000 in annual income for a family of four in 2012). This resulted in funding of \$12.5 million in 2011 and \$25 million in 2012. In its 2012 report, the Task Force concluded that the crisis related to the unrepresented remains unabated. The Task Force determined at best only 20 per cent of the legal needs of low-income people in New York are currently being met. In May 2013, the

[Continued on page 2](#)



More than 170 guests joined these seven honorees at the Bar Foundation's luncheon last month to celebrate their 50 years in the practice of law. See more on page 4.

MISSION :

...to inspire excellence in the legal profession, to foster the fair administration of justice, to promote equal access to the legal system, and to serve and support our members.

UPCOMING EVENTS :

Sean Carter Double Ethics CLE
Annual Meeting
OCBA Annual Holiday Party

Friday, October 18
Thursday, November 7
December, TBA

From the President . . .

If you haven't already, I hope all of you take a moment to read the lovely letter reproduced on page 6, that Chief Judge Jonathan Lippman sent the Bar Association congratulating all of us on being presented with the ABA 2013 Harrison Tweed Award recognizing the extraordinary work of our Volunteer Lawyers Project. It is an honor to be recognized by Judge Lippman who has worked tirelessly to further *pro bono* advocacy in New York State.

October is National *Pro Bono* Month, which makes this a perfect time for me to focus on the VLP and its spin-off from the OCBA. The OCBA VLP was created in 1991, a time when the New York State Bar Association was asking local bar associations to increase volunteer *pro bono* efforts. It was intended to give our members an opportunity to provide *pro bono* help to those in our community who otherwise would have no access to much needed legal services. Over the years, through the efforts of a dedicated *Pro Bono* Committee, long time OCBA Pro Bono Coordinator extraordinaire, Deb O'Shea, and more recently, VLP Legal Director, Sally Curran, and the countless hours our dedicated members have spent providing *pro bono* legal services in our community, our VLP has been successful beyond anything we could have imagined in 1991 and has gained national recognition.

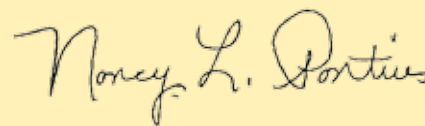
Success often necessitates change, and change can be a good thing. The spin-off of the VLP into the Volunteer Lawyers Project of Onondaga County, Inc. is one of those changes. The number of *pro bono* programs under the umbrella of the VLP has exploded in recent years, particularly with the hiring of Sally Curran, who has been named Executive Director of the new organization. The recent award of Judiciary Civil Legal Services Funds discussed in Jim Williams' article is allowing the new VLP to hire a full or part time staff lawyer and a part time *pro bono* coordinator. Additional staff, along with an increased ability to raise funds as a result of its 501(c)(3) exempt status, will facilitate growth of the programs already in place and provide the opportunity for the addition of new programs.

One thing that will not change is the wonderful opportunity the VLP offers us, lawyers, paralegals, and law students alike, to use our legal talent and skills to help those who, for many different reasons, are very much in need of legal assistance and have nowhere else to turn. Another thing that will not change is the VLP's need for OCBA members to volunteer their services to make the *pro bono* programs successful. As VLP programs expand, that need will only become greater. Our organizations will continue to work together as we have recently with the OCBA Trust and Estates Section stepping up for the new VLP Surrogate Law Clinic, the Family Law Section helping with the new *pro bono* Family Court Clinic, and our members who have been crucial in getting the new Immigration Law Clinic up and running. In addition, the OCBA Criminal Law Section is exploring a new *pro bono* program with the VLP. We anticipate that the OCBA will also continue to partner with the VLP to provide training and CLE for volunteers.

To those of you who are already participating in VLP *pro bono* programs, thank you. To those of you who are not, National *Pro Bono* Month is a great time to start. In addition to the new Surrogate Law, Family Law, and Immigration Law Clinics, the VLP offers you many ways to provide *pro bono* legal services including such things as representing tenants in Landlord/Tenant Court; Veterans Clinic; helping with the Pro Se Divorce Workshop; becoming involved in the Elder Law Fair; participating in the Talk to a Lawyer Program or Say Yes to Education Legal Clinics; and offering *pro bono* assistance to not-for profit organizations working to improve the quality of life for low income individuals and families.

I am confident that working together, the OCBA and VLP will continue to do the extraordinary work that earned us the Harrison Tweed Award and will continue to serve as a positive example to other bar associations and volunteer lawyer programs.

Nancy L. Pontius, *President*



Legal Services Funding ...from page 1

determined at best only 20 per cent of the legal needs of low-income people in New York are currently being met. In May 2013, the Court system had announced that the organizations that received part of the \$25 million in 2012 will receive the same amounts in the 2013-14 budget, and that an additional \$15 million would be awarded. The recipients of the \$15 million were announced in the August 23 Oversight Board announcement which included LSNKY, HLAS, LASMNY and VLP.

In its 2012 Report, the Task Force reported that independent evaluations by nationally recognized experts, commissioned by the Task Force on a *pro bono* basis in 2012 and 2011, show that investing in civil legal services provides substantial economic benefits to New York State – specifically, a return of approximately six dollars for every one dollar of funding for Civil Legal Services. Watch for updates in future issues of the Bar Reporter about how this additional funding is being used to benefit low-income Central New Yorkers.

OCBA JUDICIARY COMMITTEE

Announces Candidate Evaluations

The Onondaga County Bar Association has released the results of its 2013 judicial evaluations for the positions of New York State Supreme Court and Syracuse City Court.

The 2013 candidates reviewed are:

NEW YORK STATE SUPREME COURT

Recommended as qualified

Hon. Anthony J. Paris
Hon. John V. Centra

SYRACUSE CITY COURT

Recommended as qualified

Mary Anne Doherty, Esq.
Romana A. Lavalas, Esq.

The rating of “recommended as qualified” is the only rating given by the Onondaga County Bar Association to candidates according to the rules of its Judiciary Committee and the by-laws of the Association.

Each candidate who requested evaluation was asked to complete an in-depth questionnaire and meet with the Onondaga County Bar Association’s 39-member Judiciary Committee. The Committee votes on each candidate and forwards its recommendations to the Board of Directors, which either affirms or reverses the recommendations of the Committee.

The Judiciary Committee is chaired by Henry Melchor, Esq. of Bond, Schoeneck & King.

LAWYER REFERRAL SERVICE RECRUITING MEMBERS FOR 2014

Looking for a way to grow your practice and attract pre-screened clients who are seeking your specific specialty and experience?

The Lawyer Referral Service (LRS) program offered by the Onondaga County Bar Association has proven year after year to be a low-cost and effective source of new clients for its participants. Renewal and recruitment of panelists for the 2014 program year has begun, with the required annual application available now for download from the OCBA website or by calling the OCBA offices at 471-2667. The annual fee to participate in the program is just \$100 for OCBA members.

In 2013, the current roster of more than 70 LRS panelists has collected \$250,000 in fees year to date, based on their reporting and reimbursement to the LRS program of 10% of fees paid by LRS-referred clients. (Panelists aren’t required to pay that percentage reimbursement if the total client fee is less than \$250.)

Each month, LRS refers on average 300 people in need of

legal assistance. Our two dedicated LRS front-line intake specialists, Maggie James and Delores Hnat, listen to their issues and then strive to connect the caller to the attorney panelist in the desired specialty area based on a revolving list of panelists, in the hope of moving forward with a case. The initial attorney consult is provided at no cost to the caller but if the panelist agrees to take the case, they negotiate the fee.

A recent panelist survey elicited this response from a satisfied member: “I appreciate the constant diligence of the staff and the efforts to improve the LRS service. The screening has improved for appropriate type cases being referred pursuant to the options chosen at the yearly registration ... Thank you for your efforts.”

A LRS committee chaired by Stuart LaRose meets monthly to review issues and provide guidance to LRS staff. New committee members are always welcome.

This valuable OCBA member benefit is an easy way for attorneys to gain new clients for fee generating cases. As a reminder, all current LRS panelists who don’t renew their LRS membership by March 31, 2014, will be removed from the LRS database.

Please join **OCBA’s Lawyer Referral Service**, and see your business grow in the new year.

President

Nancy L. Pontius

President-Elect

Nicholas J. DeMartino

Vice President

Jean Marie Westlake

Treasurer

James H. Messenger, Jr.

Secretary

Anne Burak Dotzler

Immediate Past President

Mary C. John

Executive Director

Jeffrey A. Unaitis

Directors

Elisabeth A. Barker

Bruce R. Bryan

Joseph D. Callery

Frances A. Ciardullo

Sam Elbadawi

Lisa M. Fahey

Hon. Michael L. Hanuszczyk

Emilee Lawson Hatch

John T. McCann

Wendy S. Reese

David B. Snyder

David M. Stewart

John Trop

Mark W. Wasmund

James M. Williams

Ex Officio

Dean Hannah R. Arterian

Hon. Stewart F. Hancock, Jr.

Thomas E. Myers

50 YEARS



The **Onondaga County Bar Foundation** held its annual 50-Year Luncheon at Drumlins on September 12. More than 170 OCBA members, friends and family joined in the celebration to honor 14 attorneys recognizing their 50-year anniversary of their admittance to the Bar. Chaired by the Hon. Deborah Karalunas and David Liddell, the program also included the unveiling of the newest Oral History video of the Senior Lawyers Section, shining the spotlight on Karen DeCrow. The honorees were (clockwise, from top left): J. Richard Lynch, James G. DiStefano, M. June Lockwood, James D. FitzPatrick, Leonard C. Koldin, Kevin M. Reilly, Bruce G. Soden (honored posthumously), Taylor H. "Skip" Obold, Emanuel "Mannie" Neri, Gerald J. Mathews, Thomas J. Maroney, Francis E. Maloney, Jr., Jan R. Farr and Charles S. Edwards. And in this photo from the luncheon (back row, l. to r.): FitzPatrick, Farr, Koldin and Maloney; (front row): Edwards, Reilly and Obold.



50 YEARS

ATTORNEY SPOTLIGHT

Clifton C. Carden: Past Experience Shapes Career Success



Clifton Carden was an Assistant District Attorney with the Onondaga County District Attorney's Office from January 2008 until February 2013, where he was assigned to the DWI Bureau. In addition to his DWI duties, Clifton coordinated the Veteran's Diversion Program for the Onondaga County District Attorney's Office. This program ensures that the criminal justice system addresses the needs of combat veterans who have served our country, while maintaining the safety of our community. Prior to being appointed to the DWI Bureau, he served in the Municipal Courts Bureau where he handled arraignments, preliminary hearings, motions, suppression hearings, trials and coordinated the ride-along program between law enforcement agencies and the office.

Before joining the DA's Office, he served on active duty in the infantry of the United States Marine Corps. His active duty assignments included serving with the Marine Corps Security Force Company in Kings Bay, Ga. and two deployments with Kilo Company 3rd Battalion 8th Marines. After leaving active duty, he continued his service in the Army Reserve with the 88th Military Police Company of Fort Eustis, Va. and as a civilian he worked in the City of Norfolk, Va. at both the federal and local level as a police officer until attending law school.

Clifton is a member of the Alpha Phi Sigma National Criminal Justice Honor Society. He has formal training with the Department of Defense Law Enforcement Training Academy, Norfolk Police Department, Delaware State Police, United States Marine Corps Special Operations Training Group, and Metropolitan Police Department in Washington D. C.

Clifton earned three Marine Corps and Army Achievement Medals and recognition from the United States Department of Justice and Federal Bureau of Investigations. He received his law degree from the T.C. Williams School of Law at the University of Richmond and his undergraduate degree from Christopher Newport University. He has instructed for the Prosecutor's Training Institute, District Attorney's Office, County Magistrates Association, Onondaga County Safety and Traffic Division, Syracuse University Moot Court Team, and Stop DWI Driver Improvement Program. Below are questions we asked Clifton.

BR: Where do you work?

CC: At the Azria Law Office in Downtown Syracuse, lead litigation

counsel at Azria Law Office handling DWI and Divorce matters.

BR: Describe your background.

CC: I am fortunate to come from a military family that instilled a desire to serve the community at a very early age. After completing my active duty enlistment in the Marine Corps I attended college while working as a police officer and military reservist. Afterwards, I completed my J.D. at the University of Richmond.

BR: What type of law do you practice?

CC: DWI /Traffic Defense as well as Family Law matters.

BR: What do you enjoy most about your practice?

CC: Every day brings the chance to handle a new case with unique questions of law and client expectations. I enjoy getting to know people and any issue they may be having. Knowing about a client's life can go a long way to understanding how to handle the matter and appreciating the results afterwards.

BR: What has played the most important role in getting you to where you are today?

CC: Without question...the legal community. Every opportunity and experience I have been lucky enough to enjoy is due to the members that make up the local profession. Judges, prosecutors, attorneys, and their legal staff have always been available to answer questions, give guidance, and assist any way they can.

BR: What has been the biggest obstacle that you have had to overcome?

CC: My mother had a stroke a week before the bar exam. She was in a coma when I had to leave for the exam and spent two years in rehabilitation. Focusing on a new career and the health of a loved one at the same time brings a certain focus to each. My wife and I recently visited her and I am happy to report that my mother is healthy and happily retired on Amelia Island, Florida.

BR: If you could give one piece of advice to newly admitted attorneys, what would it be?

CC: Volunteer in the local legal community. There are many worthwhile programs with plenty of support and resources for attorneys who want to help those in the legal system. It is a great way to gain experience, network with community professionals, and know that you are making a difference.

JUDGE LIPPMAN CONGRATULATES OCBA ON RECEIVING ABA'S DISTINGUISHED HARRISON TWEED AWARD

Chief Judge of the State of New York



Jonathan Lippman

August 27, 2013

Onondaga County Bar Association
109 South Warren Street, Suite 1000
Syracuse, New York 13202

Dear Friends:

I write to extend by warmest congratulations to you all for being presented with the 2013 Harrison Tweed Award by the American Bar Association to recognize the extraordinary work of your Volunteer Lawyer Project (VLP). The Onondaga County Bar Association has truly demonstrated a long-term commitment to serving the disadvantaged in Central New York through its pro bono legal programs.

As lawyers, one of our core obligations is to help ensure equal access to justice and encouraging others, to do likewise, as the Onondaga County Bar Association has done so effectively. The need to fulfill that obligation has never been more acute than during the difficult economic times we have been experiencing in New York and around the country in recent years, which has had devastating effects on so many low income New Yorkers who are unable to afford to hire counsel to help them with their basic legal needs.

As the sole recipient of this national award, your association brings honor to the state and the legal profession in New York. You are a shining example to other local bar associations around the country. I salute the Onondaga County Bar Association and Legal Director Sally Fisher Curran for your important and sustained contributions to pro bono advocacy and for your dedication to serving those who need it most.

Sincerely,

Jonathan Lippman

SYRACUSE LAW PRO BONO BOARD STRIVES FOR NEW HEIGHTS WITH 50-HOUR REQUIREMENT

By Mark O'Brien

The new semester is in full swing at Syracuse University College of Law, and so are the *pro bono* opportunities for students looking to meet the state's new *pro bono* requirement. The Class of 2014 will be the first students impacted by the rule, which requires applicants for admission to the New York State bar after January 1, 2015, to complete 50 hours of qualifying *pro bono* service.

"Syracuse law students should not have any trouble meeting the new *pro bono* requirement," says Brittany Hansen, a second-year student and member of the Pro Bono Board. She also interned at the Volunteer Lawyers Project this past summer. "I think we embraced the spirit of the rule even before it became official because we've continually dedicated hours upon hours to serving the needs of our community," she adds. "It's important not only for those we help, but also for our own learning process."

Indeed, past performance shows that to be the case. For instance, every student in the Class of 2013 performed some level of *pro bono* or community service during their time in law school. More than 80 of them met the requirements for the College of Law's *pro bono* honors recognition at commencement. In fact, the total amount of time the graduating class dedicated to performing *pro bono* and community service work during law school amounted to a whopping 11,394 hours. That equates to roughly 475 continuous days of volunteering.

All indications are that this year's third-years are on track to surpass that total. By last May, the Class of 2014 already had logged more than 11,100 hours of *pro bono* and community service work. If they maintain that pace, the class could complete nearly 17,000 hours by graduation.

"Obviously the 50-hour rule has something to do with [why the Class of 2014 has done so much already], but it also is because of the expansion of opportunities," says Melissa Swartz, a third-year student who has been on the *Pro Bono* Board since her first year. She now helps lead the board and says the growth in programming represents a greater effort to get involved and meet community needs.

"The Pro Bono Advisory Board's programs have inspired students to develop and implement new legal or community service programs," adds Swartz, who organizes a student-led, weekly GED tutoring program at the Auburn Correctional Facility.

Most of those new projects have come through expanded clinics and workshops at the VLP. Traditional programs, such as the uncontested divorce clinic and talk-to-a-lawyer clinics, have been hugely popular. Students also have been eager to participate in new workshops such as the immigration clinics and the upcoming family court clinics. Like Swartz, some students have started programs that match their own interests, such as the now-semiannual Valor Day dedicated to addressing the needs of area veterans. The project was the result of hard work and determination by the student group



Valor Day Networking

VISION, which stands for Veterans' Issues, Support Initiative, and Outreach Network.

This kind of student initiative is partially the reason why the New York State Bar Association honored the College of Law's Pro Bono board with its Pro Bono Presidents Award in 2012. At the time, law students had dedicated more than 15,500 cumulative hours of time to *pro bono* endeavors—a total that has consistently risen ever since.

"Fifty-hour rule or not, my classmates are doing great things in the community, and that inspires me," says second-year student Mike Tyszko, a member of the Pro Bono Board. "I volunteer because I understand that law is a service profession at its core and volunteering benefits my interest in learning legal skills and meeting local practitioners," he adds. "I chose to serve on the board because I enjoy helping my colleagues experience the benefits of volunteering."

Mark O'Brien, Class of 2014, is this year's Pro Bono Fellow at the College of Law and chairs the school's Pro Bono Advisory Board. In these roles, Mark works closely with Melanie Cuevas-Rodriguez in the Office of Student Life and Sally Curran at the Volunteer Lawyers Project. He and the other student board members help recruit student volunteers for various *pro bono* opportunities both on campus and in the Syracuse community. Mark also assists with the VLP's Landlord/Tenant Court program.



Presenters at the recent Valor Day

Fourth Department Case Notes

By Sara Langan, Law Clerk to Hon. Julie A. Cecile, Family Court Judge

Child Support

Gallagher v. Gallagher, 2013 WL 5397319 (4th Dept., Sept. 27, 2013). The parties' separation agreement provided that they were opting out of the requirements of the Child Support Standards Act based on several factors, including that the children would spend a significant portion of time with Father pursuant to the visitation schedule set forth in the separation agreement. Mother sought an upward modification of Father's child support obligation. After hearing, the Family Court found that there had not been a sufficient change in circumstances to warrant modification of child support. The Fourth Department reversed, holding that the evidence established that there had been a complete breakdown in the visitation arrangement, which effectively extinguished Father's support obligation, and that this was an unanticipated change in circumstances that created the need for modification of the child support obligations.

Evidence

In the Matter of Kady J. and Lexie J., 2013 WL 5397285 (4th Dept., Sept. 27, 2013). The Family Court erred in admitting police records in evidence because the certification attached to those records failed to comply with Family Court Act § 1046(a)(iv), which provides that, where a certification is completed by a "responsible employee" rather than the head of an agency, the certification "shall be accompanied by a photocopy of a delegation of authority signed by both the head of the . . . agency and by such other employee." The language of the statute is mandatory, and it is undisputed that "the requisite delegation of authority to was lacking."

Paternity

White v. Wilcox, 2013 WL 5396087 (4th Dept., Sept. 27, 2013). Richard W. sought to establish paternity of a child and Mother opposed his petition. The Fourth Department considered the attempt to establish paternity as a possible "prelude to further potential combat over custody and visitation," noting that only a biological or adoptive parent could seek court-ordered visitation when such visits were opposed by a fit biological parent. Therefore, the Fourth Department held that the Family Court had not erred in refusing to apply the doctrine of equitable estoppel to bar Mother from denying that Richard was the father of the child, even though he had enjoyed a close relationship with the child and had exercised some control over the child with Mother's consent. The Court stated that barring Mother from contesting paternity could result in a change in the definition of "parent" which must "come by way of legislative enactment rather than judicial revamping of precedent."

Visitation

In the Matter of Alazaya I.B., 2013 WL 5396460 (4th Dept., Sept. 27, 2013). Although the appeal was dismissed as moot, the Fourth Department emphasized that it was error for the Family Court to delegate its authority to modify future

visitation to the child protective agency, the counselors for the subject children, or the Attorney for the Child (see also *In re Leah S.*, 61 AD3d 1402 [4th Dept. 2009] [holding that it was error to include language stating that visitation shall occur only if the child protective agency deems it appropriate]; *Battista v Battista*, 294 AD2d 941 [4th Dept. 2002] [it is error for the order to require supervised visitation with a mental health professional "for a period of time that supervision may be required"])).

Adoption

Benzin v. Kutty, 2013 WL 5397315 (4th Dept., Sept. 27, 2013). Although it appeared from the record that Father and his wife failed to provide proper notice of the adoption proceeding to Mother, the Fourth Department concluded that Family Court lacked authority to vacate or ignore the adoption order on that or any other ground, inasmuch as that court could "not arrogate to [itself] powers of appellate review" with respect to the adoption order. If Mother sought relief from the adoption order, she must seek such relief in the court which rendered that order.

QDRO

Loy v. Loy, 108 AD3d 1201 (4th Dept., July 19, 2013). In 1984, the Court of Appeals held that vested pension rights fall within the embrace of marital property to the extent that the rights were acquired between the date of marriage and the date of commencement of the matrimonial action. *Majauskas v. Majauskas*, 61 NY2d 481 (1984). The Fourth Department applied the holding of *Majauskas* to a case where the ex-husband's three highest years of earnings occurred after the date of commencement of the divorce action. Ex-husband argued that the trial court should have ordered the retirement system to calculate his "retirement allowance" as being the "hypothetical" benefit he would have received based on his years of service as of the date on which the divorce action was commenced, rather than as being the actual benefit he later received upon retirement. Ex-husband asserted that the trial court improperly awarded his ex-wife a portion of the increases in his retirement allowance attributable to step increases and promotional increases that occurred after the date of commencement of the divorce action. The Fourth Department rejected this argument, holding that since each employment year is counted for pension purposes, each year is deemed to have contributed to the high salary years, and ex-wife was entitled to a share of the actual benefit he received upon retirement. The Fourth Department noted that this case was distinguishable from *Wegman v Wegman*, 123 AD2d 220 [1986], because *Wegman* involved a defined contribution retirement plan, not a defined benefit plan.

Modification Of Custody

Lara v Sullivan, 108 AD3d 1238 (4th Dept., July 19, 2013).

Continued on page 11

Family Law 55 Pro Bono Attorneys Attend Joint Family Law Training

Sally S. Curran, VLP Legal Director



On Wednesday, October 2, 2013, fifty-five pro bono attorneys attended a joint training presented by OCBA, VLP and CNYWBA for volunteers of VLP's new Family Court Clinic, VLP's Talk to a Lawyer Program and CNYWBA's Vera House Clinic. The focus was to train attorneys on the basics of custody, visitation and child support so that the volunteers will be able to assist low-income pro se litigants to prepare petitions for court. Presenters included Hon. Michael L. Hanuszcack, Hon. Martha E. Mulroy, Support Magistrate Kathryn Z. Davies, OCBA Past President Mary C. John, Hiscock Legal Aid Society attorneys Bryn Lovejoy-Grinnell and Sharon A. Sorkin, and VLP Executive Director Sally Fisher Curran. The training was generously hosted by the Fifth Judicial District in the Ceremonial Courtroom of the Onondaga County Courthouse.

VLP's new Family Court Clinic will begin on October 9, 2013 and will run every Wednesday from 12:00 p.m. to 3:00 p.m. in Room 116 at the Onondaga County Courthouse. At the clinic, pro bono attorneys will assist low-income clients with preparing petitions in custody and child support matters. For inquiries about the clinic, please contact VLP at 471-3409.

Part 137 Attorney Client Fee Dispute Committee

Thomas E. Myers, *Chair*

This Committee will have a luncheon meeting at the bar office on **Wednesday, October 23, 2013** at noon. In addition to Arbitrator Recognition, the Committee will discuss case handling procedures and OCA's extension of its grant to March 21, 2016 for operation of its Fee Arbitration Program for the Fifth Judicial District. ■

Call to
Discuss
Referrals

DEFRANCISCO
&
FALGIATANO
LAW FIRM

Published in
Top NY
Verdicts

Jeff D. DeFrancisco, Esq.
Charles L. Falgiatano, Esq.
Jean Marie Westlake, Esq.

SERIOUS
PERSONAL
INJURY
ATTORNEYS

121 East Water Street
Syracuse, NY 13202
(315) 479-9000

www.defranciscolaw.com

Syracuse University iSchool & SU College of Law to Host Talk on eDiscovery

In Memory of Professor
TED HAGELIN

**Grant Auditorium
SU College of Law**

**Friday | October 25
3:00 - 6:30 pm**



Dr. David D. Lewis

The School of Information Studies (iSchool) and the College of Law will co-sponsor a talk on eDiscovery, to be held on October 25. The event has been organized in honor and memory of SU law professor Ted Hagelin. Hagelin passed away in May, and was an expert in technology innovation law.

Freelance computer scientist and consultant Dr. David D. Lewis will deliver a talk entitled "Machine Learning for Electronic Discovery in Legal Cases."

Lewis will address changes in the U.S. Federal Rules of Civil Procedure and the ever-growing volume and complexity of digital data, that have led to an explosion in costs for reviewing electronic documents in legal discovery (eDiscovery).

A recent RAND study concluded that text classification based on machine learning (so-called "predictive coding") is the only hope for meaningful cost reductions. Lewis will examine the history of the e-discovery crisis, what machine learning is, how it is used in discovery, and the controversy around its application.

"Demands that machine learning be evaluated using statistical sampling procedures have led to their own controversies," explained Lewis, "and I will briefly discuss these methods and their potential implications for legal practice."

Lewis works in the areas of information retrieval, applied statistics, and the evaluation of complex information systems. He formerly held research positions at AT&T Labs, Bell Labs, and the University of Chicago. He has published more than 75 scientific papers and 8 patents, and is a Fellow of the American Association for the Advancement of Science. Dr. Lewis has served as a consulting or testifying expert on e-discovery issues in civil litigation, including in the Kleen Products, Actos, da Silva Moore, FHFA, and Cambridge Place cases.

The talk is free and open to the public. It will be held at 3:00 PM, October 25, in the Grant Auditorium in the Law School's White Hall. A reception will follow the talk, to be held in the Heritage Alumni Lounge and Rotunda.

ONONDAGA COUNTY ASSIGNED COUNSEL PROGRAM

In 1967 the Onondaga County Assigned Counsel Program, Inc. ("ACP") was formed and tasked with the responsibility of providing criminal defense legal services and Family Court representation to indigent individuals. The ACP is governed by a Board of Directors. Most board members are appointed by the Onondaga County Bar Association's Board of Directors, others are appointed by the Administrative Judge, the County Executive or elected by the ACP panel attorneys. Board members serve for staggered terms of 3 years. The day-to-day operations of the ACP are managed by Executive Director Renee Captor. The Onondaga County Bar Association representative to the ACP is Nicholas J. DeMartino.

The Assigned Counsel Panel, consisting of 160 local attorneys, represents individuals who have been charged in Onondaga County with misdemeanors, felonies and homicides and in some Family Court matters. Panel members must submit an application, complete an orientation and participate in continuing legal education programs. Panel members are assigned cases by judges in town and village courts, Syracuse City Court, Onondaga County Court, and New York State Supreme Court based on their level of experience and expertise.

The ACP Board of Directors for 2013 consists of the following individuals:

PRESIDENT

Sandra Holihan, Esq.

VICE-PRESIDENT

Donald Kelly, Esq.

TREASURER

A. Sheldon Gould, Esq.

SECRETARY

Thomas Ryan, Esq.

DIRECTORS

Francis Walter, Esq.

Stephen L. Cimino, Esq.

Emil Rossi, Esq.

Jan Farr, Esq.

Lauren Seiter, Esq.

John Laidlaw, Esq.

Hon. Martha E. Mulroy

Hon. Brian Lauri

Hon. William Rose

Andrew Sicherman

Melody Holmes

Nicholas J. DeMartino, Esq.

To become an ACP Panel member, contact the office by phone at 476-2921 or visit the office located on the first floor (Suite 6) of the State Tower Building at 109 S. Warren Street. The ACP Office is open Monday – Friday from 9:00 a.m. – 5:00 p.m.

VLP to Provide Free CLE Training for New and Experienced Eviction Defense Volunteers

Sally Curran, Executive Director Volunteer Lawyers Project

On Wednesday, November 6, 2013, VLP and OCBA will provide a free CLE training on the topic of representing tenants in eviction proceedings for both new and experienced volunteers. Currently VLP operates an eviction defense clinic every morning in City Court and twice a month in East Syracuse Justice Court. But in City Court, where eviction calendars that are often many pages long, the VLP volunteers are only able to meet a small fraction of the need. Having a volunteer attorney can make a significant difference for the

tenant – VLP's volunteers are often successful in obtaining abatements for major issues regarding habitability as well as helping negotiate additional time for the tenant to pay their landlord or move.

VLP is seeking new volunteers for the City Court program so that we can increase the number of tenants that we are able to help. The time commitment is just two hours in the morning, during which time an attorney is able to help two to four clients. Attorneys typically volunteer less than once per month. Volunteers are especially sought for our annual Home for the Holidays week, which takes place in December just before the Holidays. During that week, with the goal of keeping families in their homes for the holidays, VLP coordinates the participation of dozens of volunteer attorneys to ensure that any tenant who wants can have representation. If you are interested in becoming a volunteer for the Eviction Defense Clinic or would like more information on the training please contact Deb O'Shea at 579-2577 or vlp@onbar.org.

Fourth Department Case Notes

...from page 8

custody. The Fourth Department concluded that the Family Court abused its discretion in failing to “draw the strongest inference that the opposing evidence permits” against Mother, based upon her failure to appear for the hearing. Further, although the court properly determined that the child “barely knows” the Father, the Family Court erred in failing to give any weight to the 14-year-old child's preference to live with Father rather than Mother, where, as here, the record establishes that her age and maturity would make her input “particularly meaningful.”

Custody

Wright v Walker, 103 AD3d 1087, 1088 (4th Dept., Feb. 1, 2013). Grandmother had been awarded primary physical

custody of the child, and Mother sought to modify the order to allow for visitation with the child in her own home. Upon the granting of Mother's petition, Grandmother appealed, arguing that the Family Court committed reversible error when it failed to advise her of her right to assigned counsel. The Fourth Department joined the Second and Third Departments in holding that respondents in visitation proceedings are entitled to assigned counsel. “Although the word ‘visitation’ does not appear anywhere in Family Court Act § 262 (the assigned counsel statute) a proceeding to modify a prior order of visitation plainly is a proceeding under Family Court Act article 6, part 3 and, hence, falls within the purview of the assigned counsel statute” (see also *Brown v Patterson*, 108 AD3d 1131[4th Dept., July 5, 2013]).

CIVIL PRACTICE UPDATE

Thomas E. Myers

On July 28, 2013, Governor Cuomo signed into law a bill amending CPLR 3103(a) to provide clear standing for a “nonparty” to move for a protective order against disclosure concerning the “nonparty” in a civil action. The amendment was effective immediately.

OCA's Advisory Committee on Civil Practice has proposed amendments to 22 NYCRR §§208.14-a and 210.14-a adopting statewide affidavits requirements for default judgment applications in consumer credit cases. Comments on the proposed amendments must be received on or before December 4, 2013 via email to “OCARule208-14-a@nycourts.gov” or in writing to John W. McConnell, Esq., Counsel, OCA, 25 Beaver Street, 11th floor, New York, New York 10004.

OCA's Surrogate's Court Advisory Committee has

proposed a new court rule (22 NYCRR § 207.64) limiting public access to certain documents filed in Surrogate Court containing personal and financial information; namely, death certificates, tax returns, documents containing social security numbers, fire arms inventories, inventories of assets, and guardianship proceedings pursuant to SCPA, Articles 17 and 17A. Persons interested in an estate, as defined by SCPA §b3(39) and their counsel, authorized court personnel, and certain other categories of individuals, would continue to have unrestricted access. Others would need advance permission from the Surrogate or the Chief Clerk of the court to obtain access to the protected documents, and court consent “shall not be unreasonably withheld.” Comments on the proposed rule must be received on or before December 4, 2013 via email to “OCARule207-64@nycourts.gov” or in writing to John W. McConnell, Esq. at his address above.

OCBA Paralegals Committee

Karen Hawkins, *Paralegals Executive Committee*

September Paralegals Luncheon Meeting

Michael J. Hrab, Esq. from Chicago Title was our guest speaker and provided valuable information regarding Title Searches and Deeds at the Paralegals luncheon meeting on September 12, 2013 at Spaghetti Warehouse. Mike joined Chicago Title in August 2012. Previously, Mike was a Partner in the Real Estate Practice Group at the former Sclaro, Shulman, Cohen, Fetter & Burstein, P.C. law firm. He received his B.A. from LeMoyne College in 1981, his J.D. from Western New England School of Law in 1984 and was admitted to the New York State Bar in 1985. Mike has presented to the Paralegals Committee on other occasions. As always, he provided us with some entertaining magic which had everyone asking "How does he do that?!"



Michael J. Hrab

October Paralegals Luncheon Meeting

Our next luncheon meeting will be Thursday, October 10, 2013, 12:00-1:00PM, at Spaghetti Warehouse, 689 North Clinton Street. Timothy P. Crisafulli, Esq. from Crisafulli Gorman, P.C., practices in the areas of tax law, trust and estates, and elder law and will speak about Medicaid Planning and Asset Preservation. Mr. Crisafulli received his J.D. from Syracuse University College of Law in 2006. He is currently working toward his Executive Master of Laws (LL.M) degree in Taxation from New York University School of Law.

The cost for lunch is \$11 for members and \$12 for non-members. Invite your boss, co-workers and friends to attend our luncheons! Our luncheons are not restricted to Paralegals. Reservation deadline is noon the day before the luncheon. Please RSVP by e-mailing or calling Jean Swanger at jswanger@gilbertilaw.com or 442-0174. E-mails are preferred. Please keep in mind that your reservation is binding unless you cancel on or before the reservation deadline.

We will have a collection basket available at the registration table for donations toward Vera House wish list items and items for our "adopted" family during the Holiday season. Thank you in advance for your support!

Save the Date!

Loren Cunningham from Vera House will be our guest speaker at the November 14, 2013 luncheon meeting. She will present information on the valuable programs and services provided by Vera House and will advise how paralegals can participate in a volunteer capacity.

Executive Committee Meetings

The Paralegals Executive Committee ("EC") meetings are held the first Wednesday of each month except July and August beginning at noon at Gilberti Stinziano Heintz & Smith, P.C., 555 East Genesee Street, Syracuse, NY 13202 (parking is available in front of the building on East Genesee Street, at the rear of the building

at 510 East Fayette Street, and the parking lot between the office and Hamilton White House). The next meeting is scheduled for November 6th. EC Chair Kathrine Cook extends an invitation to paralegals who would like to find out more about serving on the Executive Committee. If you are interested in attending the EC meetings, please contact Kathrine Cook at kathrinecook0@gmail.com. The EC could really use your help!

ESAPA Fall Meeting

Cynthia Wade attended the Empire State Alliance of Paralegal Associations, Inc.'s meeting held on September 14, 2013 in Midtown Manhattan at North Star Fund, 520 8th Avenue, New York, NY. Topics discussed were:

- The next annual New York State Paralegal Education & Leadership Conference will be held on April 25th and 26th, 2014, in Saratoga Springs, NY. More details will follow in the coming months. ESAPA also discussed different venues for upcoming conferences (i.e. Finger Lakes Region or Niagara Falls).
- Guest speaker, William Mulkeen, NYCPA Advisory Board Member and ESAPA Paralegal Education and Leadership Conference Speaker, discussed The Honorable Jonathan Lippman's project "The Task Force to Expand Access to Civil Legal Services in New York" and the utilization of non-attorneys. Engaging discussion was had as to how ESAPA could approach Judge Lippman and how ESAPA could assist and support his pro bono initiative.

The next ESAPA meeting will be held March 22, 2014, in Rochester, NY. Place and time to be determined. If you are interested in being involved in this State wide organization, please contact kathrinecook0@gmail.com.

On a final note, check out ESAPA's Photo Gallery at <http://empirestateparalegals.org> and take a look at the pictures from the 2013 New York State Education and Leadership Conference and 25th Year Anniversary Celebration pictures. Guaranteed to see some familiar faces including our one and only Marie Norkett and model extraordinaire who made some fashion statements at our "Dos and Don'ts Fashion Show!"

Job Bank

Are you an employer with a job that needs to be filled? The Listserv can help! This service is free to employers and could help you fill your next position. Employers can email Paralegals Committee Chair, Kathrine Cook, at kathrinecook0@gmail.com to have their job provided to OCBA Paralegal members via the Listserv. The Listserv is open to all OCBA Paralegal members (including student members) as a benefit of paid OCBA membership. Members are added to the Listserv when membership dues are paid each year. Job openings are submitted to the Listserv and members receive notification via e-mail. Paralegals should contact Peggy Walker at the OCBA offices (471-2667) to confirm current membership or to join the OCBA. Peggy and Kathrine work together to ensure Paralegal members are added to the Listserv. Employers and/or Paralegals can email Kathrine should they have any questions.



NYS Unified Court System
**Fifth Judicial District
 &
 Onondaga County**
**National Adoption Day
 Celebration**

The Oncenter, Onondaga County
 800 South State Street
 Friday, November 22, 2013
 Doors Open 8:30 A.M.
 Ceremony to begin 9:30 A.M.
 OPEN TO THE PUBLIC

5th Judicial District
 Herkimer, Jefferson, Lewis, Oneida,
 Onondaga & Otsego Counties



voices

Wednesday, October 30, 2013, 5.30pm
 Everson Museum of Art

Celebrate with VOICES Honorary Chairs,
 Jack & Linda Webb

Support two organizations with more than
 175 years of service to the community

Enjoy access to the Everson galleries,
 including "The Art of Video Games,"
 delicious hors d'oeuvres, an open bar, and
 the social scene of the season.

Tickets at www.everson.org

A community collaboration of
 Hiscock Legal Aid Society + Everson Museum of Art

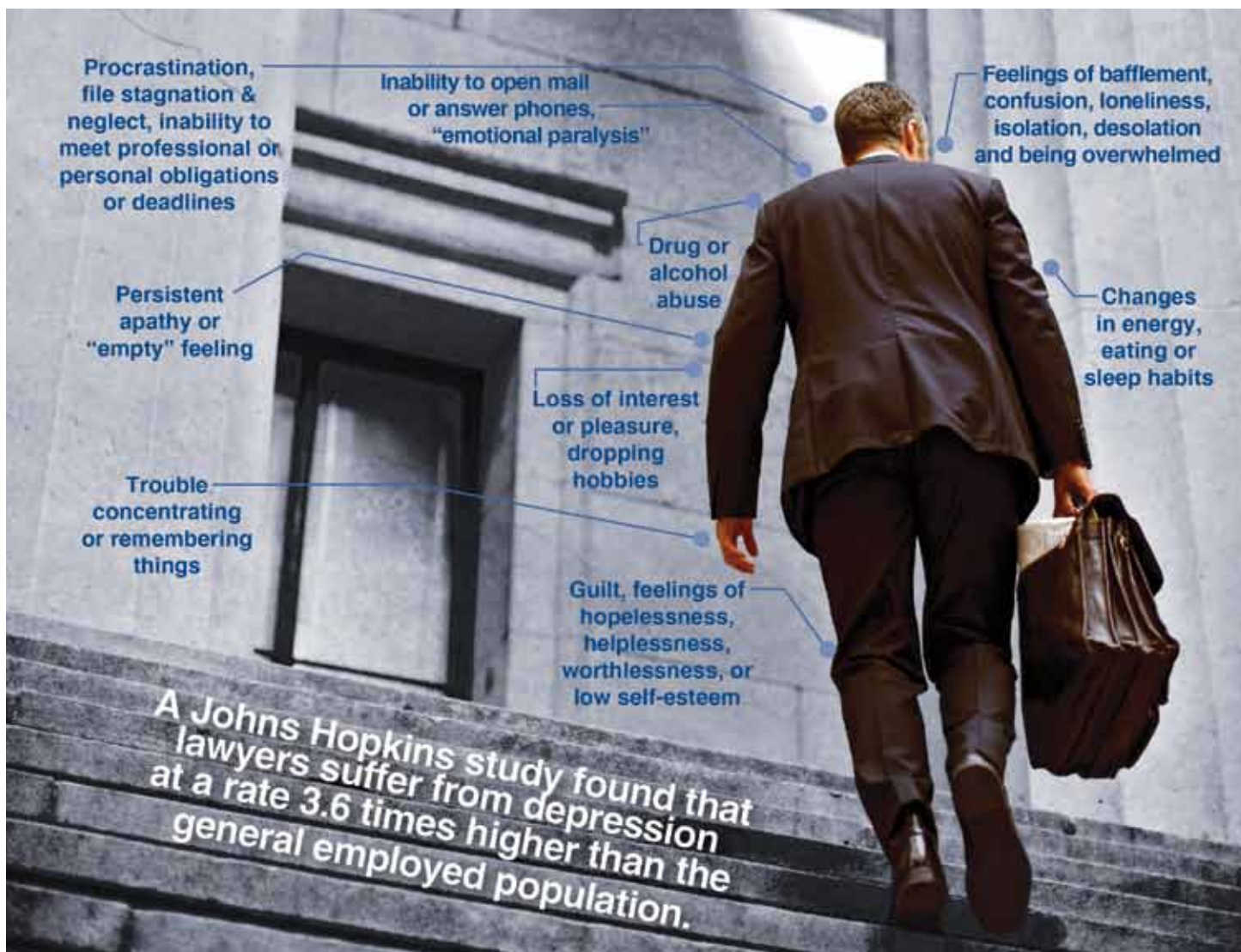
THE LAW OFFICES OF
SIDNEY P. COMINSKY
 TRIAL LAWYERS

HAVE PROUDLY ACTED AS TRIAL COUNSEL TO THE PROFESSION
 FOR OVER 36 YEARS

PRODUCTS LIABILITY CLAIMS	FEDERAL TORT CLAIM ACTIONS	PROFESSIONAL MALPRACTICE
MEDICAL DEVICES, IMPLANTS	NURSING HOME NEGLECT	TOXIC, ENVIRONMENTAL &
RAILROAD WORKER'S CLAIMS	MOTOR VEHICLE COLLISIONS	PHARMACEUTICAL TORTS
	ROADWAY DESIGN CLAIMS	
	COMMERCIAL LITIGATION	

REFERRAL FEES ARE PAID IN ACCORDANCE WITH COURT RULES

T. 315.475.3425 F. 315.475.2932
 1500 STATE TOWER BLDG. SYRACUSE, NEW YORK 13202
 COMINSKYPC@AOL.COM



We Can Help.

The signs of depression aren't easy to read. No one is completely immune. If you or a colleague are experiencing signs of depression, please call.



NEW YORK STATE BAR ASSOCIATION
LAWYER ASSISTANCE PROGRAM

Your call is absolutely confidential as a matter of law.

Toll-free 800.255.0569 • Email: nysbalap@hushmail.com • www.nysba.org/lap



Onondaga County Bar Association

CONTINUING LEGAL EDUCATION

at the **FANTASTIC, NEW HIGH PEAKS CLUB**

20th Floor | State Tower Building | 109 South Warren Street | Syracuse, NY 13202

SEAN CARTER, ESQ. | Humorist at Law
Founder of Lawpsided Seminars

Double Ethics Seminar | Attend one or both
SAVE \$20 WHEN YOU ATTEND BOTH

FRIDAY, OCTOBER 18, 2013

HIGH PEAKS CLUB STATE TOWER BUILDING



PART ONE | THE ETHYS AWARDS

2013 EDITION | 2 MCLE ETHICS | SIGN IN 9:00 AM | PROGRAM 9:30 - 11:30 AM

Each year, Hollywood celebrates the best performances in motion pictures at the Oscars. Well, this year, we will celebrate the worst ethics violations in the legal profession at the Ethis. Featuring this year's winners of the coveted Ethis for Best Original Excuse, Least Competent in a Legal Representation, Most Over-Animated Courtroom Outburst, a special Lifetime Achievement Award and so much more. In the process of recapping some of the most egregious instances of unethical behavior, **Harvard Law graduate, Sean Carter** will demonstrate how the rest of us can avoid more common ethical violations.

LUNCH ON YOUR OWN IN HISTORIC HANOVER SQUARE

PART TWO | LAWYER JOKES ARE NO

LAUGHING MATTER | 2 MCLE ETHICS | SIGN IN 12:30 PM | PROGRAM 1:00 - 3:00 PM

There are thousands of lawyer jokes told each day. Lawyer bashing is quickly becoming America's favorite pastime. But why? Is it because the typical layperson is jealous of our intellects, incomes and good looks? Carter suggests that while this may be true in his case, there may be other factors at work as well. In this presentation, he explores the topic of lawyer jokes, whether they have any basis in fact and what they say about our adherence to the rules of professional conduct.



Please **SAVE** and complete this form and return to **OCBA** email: cstirpe@onbar.org | FAX: 315-471-0705

I would like to attend: ☐ **Part One: The Ethis Awards** ☐ **Part Two: Lawyer Jokes Are No Laughing Matter**

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____ City _____ State _____ Zip _____

☐ Check Enclosed ☐ Visa, MasterCard, or AmEx Card# _____ Exp. _____

Total of 4.0 MCLE Credits Ethis | Under NYS rules this **CLE** has been **APPROVED** for both **Newly admitted & experienced** attorneys

BOTH SESSIONS

- | | |
|---|--------|
| <input type="checkbox"/> Member | \$ 120 |
| <input type="checkbox"/> Paralegal Member | \$ 60 |
| <input type="checkbox"/> Agency & Lifetime Member | \$ 60 |
| <input type="checkbox"/> Non-Member | \$ 140 |
- (hot topic)

**ONONDAGA COUNTY
BAR ASSOCIATION CLE**
1000 State Tower Building
109 S. Warren St. Syracuse, NY 13202

Call: 315.579.2578
or email: cstirpe@onbar.org

ONE SESSION

- | | |
|---|-------|
| <input type="checkbox"/> Member | \$ 70 |
| <input type="checkbox"/> Paralegal Member | \$ 35 |
| <input type="checkbox"/> Agency & Lifetime Member | \$ 35 |
| <input type="checkbox"/> Non-Member | \$ 80 |

CLE **Tuition** Waiver Policy available:

<http://www.onbar.org/cle/waiverpolcde.080408.pdf>

LEGAL BRIEFS

Seeking Mentors for SU Law Students

Senior Lawyers Section Chair Neil Gingold is collecting names of OCBA members interested in participating in the Syracuse University College of Law Mentoring Program. He currently has approximately 20 students who would like to take advantage of the program. If interested, please contact Peggy Walker at the Bar Association, pwalker@onbar.org.

Statewide Opportunity for Hearing Officers

The Office of New York State Comptroller, New York State and Local Retirement System, is seeking to contract with qualified attorneys to conduct administrative hearings on an as needed basis in Albany, Binghamton, Buffalo, Hauppauge, Poughkeepsie, Rochester, Syracuse and White Plains pursuant to its discretionary purchasing authority under State Finance Law Section 163 (6). For a full description of the contract terms go to: www.osc.state.ny.us, click on "Find Info About . . ." then scroll down to "Procurements." Click on the link that says "Click here to view ongoing procurements" and select RFQual13-01. Please forward your resume, brief writing sample (not to exceed 5 pages) and two references to the Director of Financial Administration at rpf@osc.state.ny.us.

Harris Beach Expands Municipal Law and Commercial Real Estate Practices with Primo & Hills

Attorneys Steven J. Primo and Courtney M. Hills of the Primo Law Offices have moved their practices and joined Harris Beach PLLC in Syracuse effective September 30, 2013. This move expands the Harris Beach statewide Municipalities and Local Agencies Industry

Team and the Commercial Real Estate Practice Group in Central New York. Mr. Primo will be a partner of the firm and Ms. Hills will be a senior counsel.

Primo received his JD from the Delaware Law School at Widener University and his BA from the State University of New York at Buffalo. He is a member of the New York State Bar Association, the New York State Conference of Mayors and Public Officials, the New York State Association of Towns and the New York Planning Federation.

Hills received her JD from Syracuse University College of Law, her BS from Syracuse University College of Human Services & Health Professions, and her BA from Syracuse University College of Arts & Sciences. Ms. Hills is a member of the New York State Bar Association, the New York State Conference of Mayors and Public Officials and the New York State Association of Towns

Hiscock Legal Aid Society Announces Promotions

The Hiscock Legal Aid Society is pleased to announce the following promotions and three new additions to its growing staff:

Catherine E. Sage has been promoted to law assistant for the Hiscock Legal Aid Society's foreclosure prevention project after spending three years with the Society working as a program coordinator for both the family court and civil court programs. Prior to joining Hiscock, Ms. Sage was executive assistant to the CEO at Bankers Healthcare Group and executive assistant to Vice President at Coyne Textile Services. She earned a bachelor's degree in human ecology and business communication from the State University of New York College at Oneonta and an associate's degree in paralegal studies from Bryant & Stratton College in Orchard Park, NY. Ms. Sage is a certified paralegal.

Kristy L. Shenandoah joined the Hiscock Legal Aid Society in 2010 as a program coordinator for the family court program and in June 2013 was promoted to investigator/law assistant. Ms. Shenandoah received her bachelor's degree in sociology/criminology from Le Moyne College and an associate's degree in criminal justice from Onondaga Community College.

Chicago Title Welcomes Hrab

Michael J. Hrab, Esq. has joined the Syracuse District Underwriting Team and Upstate District Counsel Group of Chicago Title. Hrab previously was with Scolaro, Shulman, Cohen, Fetter & Burstein, P.C. as a partner in their Real Estate Practice Group. He is well versed in municipal, building code and land law use, frequently lecturing at the New York State Building Officials Conference. Hrab is a member of both the Onondaga and New York State Bar Associations. He received his B.A. from LeMoyne College, and his J.D. from Western New England College School of Law.

REMINDER: Retirement Party for Support Magistrate Kathryn Davies

Celebrate Kathryn Davies' retirement on October 25, 2013 from 12:00-2:00 p.m. The cost is \$20.00 per person, includes food & gift. Onondaga Family Court House, 401 Montgomery Street, Part 5, Judge Mulroy's courtroom. (2nd floor) **Buffet catered by Gentiles** Please RSVP w/your payment to Sue Ottaviano 315-671-2017, Tonya Younis 315-671-2062 or Diane Taskovski 315-671-4273

Seeking Will

Anyone with information on the whereabouts of a will for **James Jr. Chrisamore Jr.**, who passed away May 14, 2013 and resided on Midland Avenue in Syracuse, please contact Crystal Smith at (315) 515-0842.



The University Building

Attorney Office Space Available! The University Building which is located at **120 E. Washington St.** currently has office spaces available ranging from **410sq.ft. to 4,000sq.ft.** We offer leasing **incentives**, on-site management, furnished office suites with **hardwood floors and historic finishes.** Building is conveniently located in the **Central Business District.**

For more information contact
Washington St. Partners, Inc. at 315-426-2624
or email: miked@washingtonstpartners.com.

In Memoriam

Harold Silverman
September 9, 2013

Please advise OCBA of any
attorneys we may have missed

BAR BOARDS:

Shared Office Space Opportunity (Downtown Syracuse)

Great opportunity, perfect for accountant, lawyer, or other small business. Very nice Class A space in professional office building with prime location--adjacent to Armory Square. 2/3 private offices with 2 support staff work stations, shared kitchenette, waiting room with receptionist, and conference rooms. Established law firm will occupy the remainder of the space. Rent negotiable. Utilities, Cleaning, Trash Removal, 24/7 Access, Handicap Accessible, Internet...All Included! Phones, phone lines and copiers are in place. Office furniture in place if needed. Parking available. Please reply to Box G, Onondaga County Bar Association, 1000 State Tower Building, 109 S. Warren St., Syracuse, NY, 13202-1860.

Mid-size Syracuse Law Firm has Opening

Mid-size Syracuse law firm has opening for business lawyer with 3-to-8 years experience in business formation, shareholder agreements, acquisitions, financing and negotiations. Please send responses in confidence to Box F, Onondaga County Bar Association, 1000 State Tower Building, 109 S. Warren St., Syracuse, NY, 13202-1860.

For Rent/Office Sharing

For rent and/or office sharing, in Manlius, approx. 850 square feet with conference table, phones, internet, copiers, etc. available. Contact Mark Banac, Esq. 682-7585

Former N.D.N.Y. Law Clerk

with extensive litigation experience available for independent contracting assignments in state/federal court matters (e.g., draft/critique/revise pleadings, motion papers, discovery requests; appeals; Workers' Compensation depositions). Please contact Nancy at (315)-656-2341 or email Fedclerk375@aol.com.

Legal Nurse Consultant seeking Full Time Position

Experienced legal nurse consultant (LNC) with successful independent practice seeks full time in-house LNC position with a busy medical malpractice law firm. Skilled behind the scenes case analysis for liability, causation and damages, organize medical records, chronologies, summaries, medical literature searches, cite standards, obtain and prepare experts, develop questions for deposition & trial, prepare charts & timelines. Attorney references provided. Susan Carleo carleomedlegal@gmail.com 315-428-9446.

In honor of National Pro Bono Celebration Week | October 21st through 25th

THE VOLUNTEER LAWYERS PROJECT WANTS TO TAKE A MOMENT TO THANK ALL OF OUR WONDERFUL VOLUNTEERS

who form part of our pro bono roster, serve on our Board or Committees or helped train our attorneys or community members. With your hard work, VLP has been able to assist over 1,200 clients this year, benefiting nearly 3,000 people.

Judges

Hon. Therese Dancks
Hon. Anthony J. Paris
Hon. Michael Hanuszcak
Hon. Martha E. Mulroy

Lawyers

Alfieri, Jennifer
Ames, Sharon
Amory, Elaine
Andrews, Derek
Araujo, Ted
Aungier, Brittany
Austin, Holly
Bader, Warren
Baldwin, Dennis
Balestra, Michael
Bard, Jonathan
Baska, Robert
Beata, Luke
Bennet, Teresa
Bergan, William
Bergh, Joseph
Bielicki, Scott
Blancato, Andrew
Bobrek, Andrew
Bolster, Jennifer
Bousquet, Laurence
Bradshaw, Arlene
Brandi, Jennifer
Brickwedde, Richard
Brown, Marianne
Brown, Nina
Burch, David
Burgreen, Mark
Byrne, Jennifer
Cadin, Chris
Caldwell, Jamie
Callery, Joseph
Campbell, Stephanie
Canada, Christopher
Capriotti, David
Carden, Clifton
Carnrike, Tom
Centore, Christopher
Chappell-Daly, Diane
Clinton, Jack
Clippinger, Lucy
Cody, Mary Anne
Cominoli, Elizabeth
Conan, Paula
Cook, John
Cornish, Katie
Corpus, Karla
Cotter, Joshua
Cuffy, Gordon
Curtin, Paul
Davies, Kathryn
D'Elia, Anthony
Dahlone, Susan
Dailey, Mary
Davidson, Alex
Decrow, Karen
Dekay, Michelle
Demasi, Ralph
Dettor, Christine
Devendorf, Jon
Dewan, Gregory
Doby, Debra
Doctor, Karen

Doerr, Don
Dombrow, Russell
Dominski, Paul
Doody, Crystal
Dorn, Tricia
Dotzler, Anne
Dunn, Peter
Eagen, Ellen
Eaton, Marcia
Emery, Ryan
English, Derek
Eveleigh, Laurel
Farr, Jan
Fein, Bruce
Finocchio, Vincent
Fintel, Ed
Fish, Marion
Fitzpatrick, Jim
Franklin, Richard
Frateschi, Tim
Fried, Marty
Frishman, Aaron
Gadarian, Michael
Galbato, Suzanne
Galvez, Eric
Gehron, Linda
Germain, Gregory
Gigliotti, Anthony
Gingold, Neil
Godfread-Brown, Andrea
Goldberg, Melanie
Grasso, Caterina
Greeley, Kristin
Greenman, Joseph
Greiner, Ashley
Griffith, Kelly
Griffith, Susan
Guy, Carl
Guzak, Charles
Halpin, Jason
Harrigan, Kevin
Hatch, J. Ryan
Hayden, Kevin
Hayes, David
Heath, Monica
Hendry, Tyler
Hoehner, Holly
Hoffman, Divya
Hole, Richard
Hoveman, Virginia
Hunsicker, Jaime
Hunt, Brad
Hurd, Erin
Janardhan, Kavitha
John, Mary
Johnson, Stephen
Jones, Chris
Jones, Jackie
Juliano, Christina
Katz, Mitchell
Katzoff, Susan
Kaufman, Dennis
Kenien, Michelle
Kennedy, Thomas
Kerwin, Matthew
King, Mary
Kinney, Adam
Kinsella, Wendy
Klein, Michael
Kogut, Walter

Krusey, Katie
Laberge, Robert
Lambright, Nathaniel
Lamendola, Joseph
Langan, John
Langan, Kerry
Lannon, Patrick
Larkin, Mathew
Larson, Nancy
Lawson Hatch, Emilee
Leonard, Colin
Leuenberger, Scott
Liao, Gary
Liebler, Lewis
Livolsi, Michael
Longstreet, Ami
Lovejoy-Grinnell, Bryn
Lowe, George
Lucchesi, Joe
Lydford, Robert
Malkin, Judith
Mannion, Daniel
Marris, Susan
Marrone, Anthony
Marshall, Anthony
Marshall, Steven
Martin, David
Martin, Donald
Martin, Julia
Marty, Fred
Mathews, Joseph
Mattison, Zachary
Mcardle, Ed
Mcauliffe, Kevin
Mccarthy, Michael
Mccurdy, Jimmie
Mcguire, Jillian
Mclees Craner, Meghan
Melvin, Buster
Merriman, Courtney
Messer, Suzanne
Micale, Keri
Miller, Frank
Millier, Samantha
Mindell, James
Miner, Mary
Mitchell-Eaton, Aiden
Moeller, Elizabeth
Moon, Janet
Morse, Julie
Muldoon, Jim
Mulvey, Tim
Myers, Thomas
Needham, Douglas
Newman, Paul
Nichols, Craig
Nichols, John
Nocilly, David
Nugent, Gabriel
O'Hara, Trista
O'Neill, Michael
O'Shea, James
Owens, Lanessa
Parry, Jeff
Pautz, Daniel
Pease, Bill
Pedone, Joanne
Perez, Jose
Peterman, Alan
Pieples, Gary

Pierce, Alan
Pole, Kevin
Pontius, Nancy
Powers, John
Ranieri, Michael
Reap, Meghan
Redmond, Shelby
Reese, Wendy
Reid, Kate
Rivera, Ramon
Robbins, Virginia
Rodriguez, Melanie
Rosario, Lourdes
Rossi-Corbin, Gemma
Saleh, Anas
Sargent, Richard
Scalfone, Melody
Schafer, Katherine
Schliffert, Stacey
Shulte, Mark
Siegel, Elizabeth
Sindoni, John
Sindoni, Laura
Smith, Brody
Smith, Chris
Smith, Kristen
Smith, Neil
Smith, Thomas
Snyder, David
Snyder, Mary
Sorkin, Sharon
Southwick, Karen
Stanczyk, Michael
Stevenson, Kathleen
Strickland, Carter
Strodel, Kathryn
Stuart, Patricia
Sullivan, Kate
Sullivan, Tracy
Temes, Sarah
Thompson, Tamara
Thorpe, Robert
Todd, Christopher
Tracy, James
Traynor, Mary
Tsan, Clifford
Tyler, Kenneth
Van Baalen, Guy
Van Nostrand, Ron
Van Stry, Donald
Vanbever, Matthew
Vanderlyke, Amy
Vanstry, Don
Venezia, Michelle
Ventrone, Mark
Vick, Alesia
Vincent, Heather
Vozzo, H. Larry
Waters, Christine
Weaver, Lisa
Weber, Kathleen
Wegerski, Mara
Weingarten, Esther
Weiskotten, Natalie
Welch, Maggie
Wells, Matthew
Whitaker, Robert
Wiles, Chris
Williams, James
Williams, Roger

Wilson, Anna
Winfield, Angela
Witmer, Leah
Woodard, Lee
Wright, J.P.
Young, Laurence
Young, Sam
Young, Susan
Youns, James
Younis, Michael

Paralegals & Community Members

Appleman, Cathie
Baker, Wendy
Canavan, Barbara
Ceparski, Beth
Cook, Kathrine
Czeluzniak, Mary
Driscoll, Pat
Guilford, Jim
Kraus, Angelique
Lamson, Joan
Mcelroy, Molly
Mcrobbe, Lori
Peterman, Martha
Purdy, Kimberly
Reilly, Patricia
Tanner, Bill
Vanduzer, Christine
Williams, Suzanne
Wright-Williams, Monique

Law and Undergrad Students

Arias, Kayla
Baker, Angel
Ball, Amanda
Bangser, Rachel
Beauduy, Kayla
Bhatti, Upnit
Blackaby, Danielle
Blades, Jarrid
Brooks, Megan
Brower, Tom
Bryant, Michael
Burgess, Justin
Burke, Meredith
Calson, Misha
Campion, Jesso
Clonts, Michael
Cortez, Ellis
Craig, Mallory
Crouch, Matthew
Cummings, Joseph
Curwen, Douglas
Dasilva, Jillian
De Jong, Corstiaan
Deland, Joel
Delaurie, Heather
Demaria, Kat
Dinunzio, Charles
Diorio, Samantha
Dyckman, Jeremy
Dzivra, Greg
Elliot, Christopher
Flynn, Audrey
Gilbert, Emily
Goldstein, Jordan
Grasso, Joe

Gwozdz, Danielle
Halpin, Carly
Hansen, Brittany
Hite, Tyler
Holmes, Matthew
Hong, Arnold
Jacoby, Ashley
Johnston, Kristy
Kane, Shannon
Keefe, Josh
Kelleher, Eamon
Kheyman, Alex
Klobucista, Liridon
Krupinsky, Dan
Lambiro, Sibelle
Levrant, Peter
Lewis, Michael
Liptak, Meghan
Mangovski, Anthony
Marvel, James
Meeks, Jordan
Mercedes, Daniel
Moore, William
Morgese, Jaclyn
Moritt, Chris
Morris, Lisa
Morrison, Danielle
Nichols, Stephanie
Niemetz, Jason
O'Brien, Mark
Palvenko, Ivan
Parsons, Haley
Pflum, Kaci
Raab, Lawrence
Ratcliffe, Victoria
Raymond, Reta
Reardon, David
Redmon, Alexander
Ruh III, Robert
Schneider, Brett
Schoonmaker, Cory
Schutrum, Jonathan
Skolky, Ashley
Stalnaker, Timothy
Stanley, Jason
Thandi, Tanjeev
Tillman, Meghan
Tischbin, Elizabeth
Tumen, Josh
Tysko, Michael
Ubaldo, Christina
Upward, Susan
Van Aukun, Alyssa
Vandenbelt, Jenny
Vandendolder, Kate
Volpicella, Kristin
Warner, Kristin
Weathers, Ashley
White, Molly
Williams, Benjamin
Wisner, Kathryn
Witz, Erica
Woodarek, Marla
Zhong, Ethan
Zino, James



Buffalo Alumni Reception

ATTRACTS MORE THAN 50 ALUMNI AND JUDICIARY GUESTS



A reception hosted jointly by OCBA and the SUNY Buffalo Law School Alumni Association on September 24 was a great success, attracting many alumni including a distinguished group of members of the Judiciary. CONGRATULATIONS to Judge Hanuszczak, Sam Tamburo and Mark Ventrone for organizing such a WONDERFUL EVENT!

APPEALS

Civil, Criminal, Administrative
Referrals Welcome
(315) 474-1285

John A.

CIRANDO

Attorney at Law

Suite 101
M&T Bank Building
101 South Salina Street
Syracuse, New York 13202

We APPEAL To You®

FROM THE EDITORIAL BOARD

To advertise in the Bar Reporter, call the Onondaga County Bar Association at 315.471.2667 or check our website at www.onbar.org.

Letters to the Editor: The Editorial Board accepts letters or comments for publication concerning issues presented in each edition or other issues related to the legal community. Submissions should be limited to a few paragraphs and mailed to OCBA, Attention Bar Reporter, or Email info1@onbar.org.

John A. Cirando, Editor Emeritus

Editorial Board Members:

Hon. John J. Brunetti
Clifton C. Carden, III
Kathrine Cook
Sally Fisher Curran
Nicholas J. DeMartino
Anne Burak Dotzler
Karen M. Hawkins
Joseph E. Lamendola

Michael G. Langan
James H. Messenger
Thomas E. Myers
Nancy L. Pontius
Michele N. Stirpe
Jeffrey A. Unaitis
James M. Williams

OCBA

CONTINUING LEGAL EDUCATION

AT THE DRUCE EDUCATION CENTER

1006 State Tower Building | 109 South Warren Street | Syracuse, NY | 315.471.2690

DONALD C. DOERR | PAT NOLL

SUPREME COURT PRACTICE AND PROCEDURE - REALITY 101 | 12:00 - 2:00 p.m.

MCLE 0.5 Ethics | 0.5 Skills | 1.0 Professional Practice

Thursday October 24th | Druce Education Center | Member \$40 | Paralegal \$30 | Agency, Lifetime \$0 | Non-Member \$60

HON. MICHAEL L. HANUSZCZAK

FAMILY COURT PRACTICE AND PROCEDURE - REALITY 101 | 12:00 - 2:00 p.m.

MCLE 2.0 Professional Practice

Tuesday October 29th | Druce Education Center | Member \$40 | Paralegal \$30 | Agency, Lifetime \$0 | Non-Member \$60

Volunteer Lawyers Project (VLP)

EVICTON DEFENSE CLINIC

Lewis Liebler | Brody Smith | Tracy Sullivan | Ron Van Norstrand

MCLE 0.5 Ethics | 0.5 Skills | 1.0 Professional Practice |

Wednesday, November 6, 2013 | Druce Education Center | Member \$40 | Paralegal \$30 | Agency, Lifetime \$0 | Non-Member \$60

FEE will be waived for all attorney who commit to volunteer for the VLP's Eviction Defense Clinic in the coming year.

VLP annual "Home for the Holidays" will be held in Syracuse City Court starting the week of December 16th thru the 20th. Sign up sheet for attorney participation will be available at the CLE



Seminar _____ Fee _____ Seminar _____ Fee _____

Seminar _____ Fee _____ Seminar _____ Fee _____

Seminar _____ Fee _____ Seminar _____ Fee _____

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____

☐ Check Enclosed ☐ Will bring Check to CLE ☐ CC Card# _____ Exp. _____

ONONDAGA COUNTY BAR ASSOCIATION | 1000 State Tower Building | 109 S. Warren St. Syracuse, NY 13202-1860 | Attention: Chele Stirpe

Phone: 315.579.2578 | Email: cstirpe@onbar.org | Fax: 315.471-0705