



ONONDAGA COUNTY BAR ASSOCIATION BAR REPORTER

VOLUME 6o NUMBER 9 | October-November 2015

CNY Philanthropy Center | 431 East Fayette St. | Syracuse, NY 13202 | Phone: 315-471-2667

Annual Dinner Returns Downtown to the OnCenter

The Spirit of Syracuse Chorus greeted more than 350 guests at the 140th Annual Dinner of the Onondaga County Bar Association, returning downtown for the first time in a decade on October 15th. Spirits were high and the tributes heartfelt as John P. Sindoni, Esq. and the Hon. Langston C. McKinney were honored with the Distinguished Lawyer Award and the William C. Ruger Centennial Award, respectively. For more highlights from the evening's festivities, see page 3.



UPCOMING EVENTS:

- | | |
|------------------------------|--------|
| Criminal Law Section Meeting | Nov 16 |
| OCBA Holiday Luncheon | Dec 3 |
| VLP Family Law CLE | Dec 8 |
| Paralegals Holiday Luncheon | Dec 10 |

MISSION:

To maintain the honor and dignity of the profession of law, to cultivate social discourse among its members, and to increase its significance in promoting the due administration of Justice.



From the President:

Dear Friends,

With the holidays fast approaching, it remains a busy time of year at your Bar Association.

I want to personally thank the Annual Dinner Committee, Chair, Jim Williams, Esq., and all of our members who joined the friends and family of John P. Sindoni, Esq. and Judge Langston McKinney at last month's Annual Dinner. We were pleased to bring the event back to downtown Syracuse. I am happy to report that after a few years, we are also bringing back another treasured OCBA tradition, our Holiday Luncheon. That will also be held at the Oncenter, upstairs in the beautiful glass and light-filled atrium facing South State Street. That luncheon will be held at noon on Thursday, December 3rd. Look for additional information and enlist your associates, colleagues and friends in kicking off December with a purely social and networking event for our

legal community.

As a member of the OCBA Board, it has been my distinct honor to serve as one of two representatives from OCBA on a Tri-County Judicial Screening Committee bringing together the Onondaga, Monroe and Erie County Bar Associations to provide input and recommendations in the selection of the many recent openings on the New York Court of Appeals. I will once again be joined by Janet D. Callahan, Esq., Managing Partner, Hancock Estabrook LLP, in Albany on November 6th to interview and screen the seven nominees for the Chief Judge position soon to be vacated by the Hon. Jonathan Lippman. We value this opportunity to meet with these distinguished candidates and to be brought into the selection process, with the Committee's recommendations presented to Governor Andrew Cuomo to assist in his important decision. It's important that Upstate New York continues to have a voice in this process.

On another note, OCBA was pleased to recently host and participate with local Co-Chair Judge Vanessa Bogan on a half-day CLE, "Everything You Need to Know About Becoming a Judge." The program, sponsored by the Franklin H. Williams Judicial Commission, has been held across the State and seeks to encourage more involvement from minority and female candidates seeking appointments to or running for judicial openings, at any level. More than 50 attendees heard from 20 distinguished moderators and panelists, and the Bar Foundation graciously hosted an after-event networking reception.

Finally, I would like to wish one of OCBA's dedicated employees good luck as she leaves the Bar Association this month for a new position. Chele Stirpe, who has served the Bar well as the CLE Program Coordinator, but has had an even greater impact thanks to her graphics, publications and other general communications skills, has accepted a position with the Fifth Judicial District working with District Executive Michael A. Klein as a court analyst. Thanks, Chele, for your many contributions to OCBA – we know we'll continue to see you working in and around the legal community.

I wish you and yours a wonderful holiday season, and look forward to seeing you on December 3rd at our Holiday Luncheon.

Regards,

Jean Marie Westlake | OCBA President

jeanmarie@defranciscolaw.com

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Celebrating Lives Lived in the Law: Langston C. McKinney and John P. Sindoni Honored at Annual Dinner

More than 350 guests turned out Thursday, October 15th for the Onondaga County Bar Association's 140th Annual Dinner honoring 2015 Distinguished Lawyer John P. Sindoni, Esq., of Barclay Damon, LLP, and William C. Ruger Centennial Award honoree the Hon. Langston C. McKinney, retired from the Syracuse City Court.

Dinner chair James M. Williams welcomed the evening's attendees and introduced special guests Claire Gutekunst, Esq., President-Elect of the New York State Bar Association; Jean Marie Westlake, President of OCBA; and Rev. Charles S. Vavonese, Director, Office of Public Policy, Diocese of Syracuse who delivered the Invocation.

Mr. Sindoni was introduced by Barclay Damon colleague David Liddell, who detailed why the Distinguished Lawyer Committee made an inspired choice in selecting him. Mr. Sindoni had been nominated for this award by his associate Heather Sunser.

Judge McKinney was introduced by the Hon. Joseph E. Fahey and the Hon. Kevin G. Young, who shared years of history working with and alongside their friend and our honoree.

Mr. Williams recognized the evening's sponsors including Barclay Damon, LLP, Platinum Sponsor; DeFrancisco & Falgiatano Law Firm, Platinum Sponsor; Silver Sponsors Counsel Press and USI Affinity; and Bronze Sponsors Action Reporting, Christian Brothers Academy, Legal Med and Mid-Lakes Navigation.

The honorees received special recognitions that evening including a Proclamation from Onondaga County Executive Joanie Mahoney, a citation offered jointly by New York State Assembly members Al Stirpe and Bill Magnarelli, and letters of congratulations from both New York Governor Andrew Cuomo and U.S. Senator Kirsten Gillibrand.

Special thanks to the Spirit of Syracuse Chorus – in which Mrs.



Cil Sindoni is an active member and participant – for providing musical selections during the pre-dinner cocktail hour.

In addition to Chair James Williams, the Annual Dinner Committee included: Crystal M. Doody, Danielle M. Fogel, Gioia A. Gensini, the Hon. Deborah H. Karalunas, Romana A. Lavalas, Wendy S. Reese, Ellen S. Weinstein and Susan M. Young.

Thank you to all who attended and made this event a wonderful tribute for our honorees.

The printed program from the Annual Dinner is available for viewing on OCBA's website.)



Court of Appeals & Fourth Department Case Notes

Contributed by Ariana Doty, J.D. Candidate Syracuse University, extern to Hon. Julie A. Cecile, Onondaga County Family Court

Child Custody - Sua Sponte Modification To Sole Custody

Warren v Miller, 2015 NY Slip Op 07366 [4th Dept Oct. 9, 2015] Despite the fact that the only petition pending before the court was one to modify the existing visitation schedule, Family Court had jurisdiction to determine issue of custody sua sponte; the parties were adequately apprised that sole custody was at issue, as court twice informed them prior to hearing that sole custody would be at issue and specifically warned father he could lose custody if he failed to present evidence contradicting mother's testimony, additionally, father had sufficient opportunity to, and did, present testimony and evidence relevant to custody.

The Abbatoy Law Firm, PLLC, Rochester (David M. Abbatoy, Jr., of Counsel), for Respondent–Appellant.
Timothy P. Donaher, Public Defender, Rochester (Jane I. Yoon of Counsel), for Petitioner–Respondent.
Lorenzo Napolitano, Attorney for The Child, Rochester.

Child Custody - Default Order, Lack Of Proper Service

Kader v Kader, 2015 NY Slip Op 07384 [4th Dept Oct. 9, 2015] Petition to vacate default judgments for lack of jurisdiction should have been granted where the affidavit of service by “nail and mail” demonstrated that only three attempts at service, all on weekdays during normal business hours, had been made, and although a process server's affidavit of service ordinarily constitutes prima facie evidence of proper service, the affidavit submitted did not contain any averment whether the process server had made an attempt to effectuate service at the mother's actual dwelling place or usual place of abode, or whether he had made genuine inquiries to ascertain the mother's actual residence or place of employment.

Muscato, Dimillo & Vona, LLP, Lockport (Brian J. Hutchison of Counsel), for Respondent–Appellant. Melissa A. Cavagnaro, Attorney for the Child, Buffalo.

Child Custody- Evidence, Admissibility Of Video

Blair v DiGregorio, 12015 NY Slip Op 07383 [4th Dept 10/9/15]

A video may be authenticated by a person other than the creator of the video where the testimony of a witness to the recorded events demonstrates that the videotape accurately represents the subject matter depicted.

Frank H. Hiscock Legal Aid Society, Syracuse (Piotr Banasiak of Counsel), for Petitioner–Appellant.
Kelly M. Corbett, Fayetteville, for Respondent–Respondent.

Child Custody- Evidence, Expert Testimony Not Necessary

Procopio v Procopio, 16 NYS3d 879 [4th Dept., 10/2/15] Testimony of children's therapist was admissible in court proceeding in which it was determined that mother's visitation with children would be supervised, notwithstanding that she was not qualified as an expert; therapist was permitted to testify as a fact witness. In addition, the record supported the court's determination that it was in the children's best interest to prohibit mother from sending text messages to them.

Frank H. Hiscock Legal Aid Society, Syracuse (Kristen N. McDermott of Counsel), Syracuse, for Respondent–Appellant.
Germain & Germain, LLP, (Galen F. Haab of Counsel), Syracuse, for Petitioner–Respondent.

Child Custody- Parental Alienation, Child's Wishes

Burns v Herrod, 2015 NY Slip Op 07351 [4th Dept 10/9/15]

Mother's numerous unfounded reports of alleged abuse of the children constitutes a concerted effort to interfere with the other parent's contact with the children, which is so inimical to the best interests of the children as to, per se, raise a strong probability that the interfering parent is unfit to act as custodial parent. Further, while the children's wishes are a necessary factor to consider, the court was, not required

to abide by the wishes of the children to the exclusion of other factors in the best interests analysis.

Susan James, Waterloo, for Petitioner–Appellant and Respondent–Appellant.

Terrence J. Baxter, Corning, for Respondent–Respondent and Petitioner–Respondent.

Wendy S. Sisson, Attorney for The Children, Geneseo

Child Custody - Relocation

Lapoint v Pellicciott, 130 AD3d 1453 [4th Dept., 7/2/15] Family court erred in designating mother as “parent of primary residence,” thereby implicitly condoning mother's relocation to Florida with the parties' child; court made no explicit determination in custody proceeding that relocation was in the best interests of the child, and failed to make findings regarding relevant factors that were required to be considered in making such determination, as required by Matter of Tropea v. Tropea, 87 N.Y.2d 727.

Kelly M. Corbett, Fayetteville, for Petitioner
Karen J. Docter, Fayetteville, Attorney for the Child.

In re Moredock, 130 AD3d 1472, 1473 [4th Dept., 7/2/15]

The Court agreed with the father that the lower court erred in failing to analyze this matter as one requiring a determination whether the relocation was in the best interests of the child after considering all relevant factors, as required by Matter of Tropea v. Tropea, 87 N.Y.2d

Continued on page 6

APPEALS

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NEW FORECLOSURE FORMS:

This is a district-wide standardized format for the order of reference and judgment of foreclosure forms.

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The Onondaga Supreme and County Court Clerk's Office is located at 505 South State St., Room 110, Syracuse, NY 13202. That address is the Court Clerk's office mailing address only. Court proceedings are held in the following locations (not at 505 South State St., Room 110) so please use the correct address in your pleadings:

Supreme civil (except matrimonial): Onondaga County Courthouse, 401 Montgomery St., Syracuse, NY 13202. All judges' chambers and courtrooms are located at this address.

Criminal: Onondaga County/Syracuse City Criminal Courthouse, 505 South State St., Syracuse, NY 13202. All County Court judges' chambers and courtrooms are located at this address.

Matrimonial: Hughes State Office Building, 333 East Washington St., 8th Floor, Syracuse, NY 13202. The Supreme Court Matrimonial Part judges' chambers and courtrooms are located at this address.

Integrated Domestic Violence Court: Onondaga County Courthouse, 401 Montgomery St. Room 201, Syracuse, NY 13202. The IDV courtroom is located at this address.

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Court of Appeals & Fourth Department Case Notes

from page 4

727. That determination was required “notwithstanding the fact that the [mother] had already relocated with [the child]”. Nevertheless, the record was sufficient for the Fourth Department to make such determination, concluding that the mother demonstrated by a preponderance of the evidence that her relocation of the child was in the child’s best interests.

The Abbatoy Law Firm, PLLC (David M. Abbatoy, Jr., of Counsel), Rochester, for Respondent–Appellant and Petitioner–Appellant. Ted A. Barraco, Rochester, for Petitioner–Respondent and Respondent–Respondent. Tanya J. Conley, Rochester, Attorney for the Child.

Child Custody- Sufficient Change In Circumstances Demonstrated By Parent’s Substance Abuse

Creek v Dietz, 16 NYS3d 888 [4th Dept., 10/2/15]

Father’s use of illegal drugs was sufficient change in circumstances to warrant modification of child custody and visitation order to restrict father to supervised visitation, where father, who had long history of substance abuse problems, admitted that he had used illegal drugs only a few weeks before hearing on mother’s petition, and demonstrated behavioral changes consistent with his behavior during prior periods of times in which he had been using illegal substances, such as missing visitation for extended periods of time.

Denis A. Kitchen, Jr., Williamsville, for Respondent–Appellant. Kathleen M. McDonald, Depew, for Petitioner–Respondent. James A. Kreuzer, Buffalo, Attorney for the Child.

Child Protective Proceedings - Defining Person Legally Responsible

In re Trenasia J., 25 NY3d 1001 [Ct. App. 5/5/15] Evidence in child protective proceeding was sufficient to establish that 11-year-old child’s uncle through marriage was a person legally responsible for the child who could be named a respondent under Family Ct Act § 1012(g) and for the determination of derivative neglect after the uncle was alleged to have forcibly attempted to have sexual intercourse with the child. Evidence indicated that child had been staying at her uncle’s home for a week prior to the incident and had visited the uncle’s home eight or nine times, with four overnight visits during the prior year, that the uncle was the only adult present at the time of the incident, and that

he was expected to care for the child when his wife wasn’t there. The nature and length of contacts between an uncle and a child, the uncle’s control over the child’s environment, and the familial relationship between them, supported this determination.

Child Protective Proceedings - Standing To Appeal

In re Arkadian S., 130 AD3d 1457 [4th Dept., 7/2/15]

Father was not aggrieved party and therefore lacked standing to appeal order finding that father abused and derivatively neglected children, since he did not formally join in mother’s motion to vacate order.

D.J. & J.A. Cirando, Esqs., Syracuse (Elizabeth Dev. Moeller of Counsel), for Respondent–Appellant Joshua S. Frederick R. Westphal, County Attorney, Auburn (Samuel P. Giacona of Counsel), for Petitioner–Respondent. James A. Leone, Auburn, Attorney for the Children.

Grandparent Visitation - Evidence, Hearsay Admissible

Ordona v Campbell, NY Slip Op 07075 [4th Dept., 10/2/15] The exception to the hearsay rule in child protection and custody cases involving allegations of abuse and neglect of a child also applies to grandparent visitation proceedings.

David J. Pajak, Alden, for Respondent–Appellant. Avery S. Olson, Jamestown, for Petitioner–Respondent.



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LOWE CENTER FOR JUSTICE DEDICATED ON OCTOBER 29



On Thursday, October 29, the George H. Lowe Center for Justice officially opened. The center brings three legal service providers under one roof: Legal Services of Central New York, Legal Aid Society of Mid-New York and the Volunteer Lawyers Project. The dedication honored the years of effort and advocacy by Judge Lowe to increase access to justice for all in Central New York.

Expanding free legal services for the indigent has always been one of Judge Lowe's top priorities. In the 1990s he began pursuing a "One Roof" concept to house all of the charitable legal services providers in greater Syracuse. This concept, which has materialized as the Center for Justice is well along the way to improve access to services for low income clients and create synergy between the organizations.

The event included tours of the Lowe Center and a dedication ceremony which included remarks by Mayor Stephanie Miner, Congressman John Katko, Michael Getnick, Assemblyman William Magnarelli, Judge James Tormey, and Judge George Lowe, as well as remarks by LSCNY and LASMNY board president Joanne Piersma and OnVLP board vice president Larry Bousquet.

Congratulations Judge Lowe on this distinguished honor!



VLP'S NEW PROGRAM SEEKS TO ADDRESS THE NEEDS OF THE HOMELESS: CALL FOR VOLUNTEERS

The Volunteer Lawyers Project is proud to announce their latest program, the Homeless Advocacy and Prevention (HAP) Program. The HAP Program will focus on addressing legal needs that often are barriers to rising out of homelessness, such as child support modification, divorce and employment issues, while at the same time providing general advice and referrals for other essentials of life such as access to health care and subsistence income. VLP is seeking volunteer lawyers for this new initiative – you do not need to have experience with the specific areas of law listed above, VLP will be providing trainings to support volunteers to this program. This program is building upon our already successful clinic at the Rescue Mission's Day Center.

Currently, spread across the six major shelters in the Syracuse area, there are 430 beds, 99% of which are being utilized. These shelters offer an opportunity to provide critical interventions that can be transformative in the lives of clients. The HAP program will establish talk-to-a-lawyer clinics at each of these local shelters, to be staffed by volunteer attorneys from our legal community. The clinics will be held 2-4 times each month, depending on the size and need of the shelter. Most of the clinics will operate for an hour or two during dinner hours, a time that is convenient for both clients and volunteers. The volunteer attorneys will be providing advice, counsel and brief assistance on a variety of civil legal issues, as well as referrals to other legal and social services where appropriate.

The first training for volunteers who are interested in helping at the Catholic Men's Shelter (formerly the Oxford Inn) will be on

November 19th at 5:15pm at the Volunteer Lawyers Project offices. If you are interested in attending this training or signing up to volunteer at any of our developing HAP Program locations, please contact Derek English, Esq. at the Volunteer Lawyers Project, denglish@onvlp.org or (315) 579-0177. Derek, a recent VLP hire with extensive experience in civil legal issues affecting low income clients, will be heading up this new initiative.

Homelessness doesn't just affect those who are homeless, but it affects society as a whole. Together, as attorneys, we can utilize our skills and knowledge to combat this problem and provide a better community for all!

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Joanne Mahoney

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United States Congressman

John Katko and his wife, Robin Katko

The Oncenter, Syracuse, New York

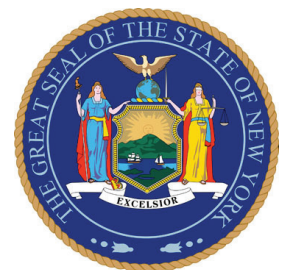
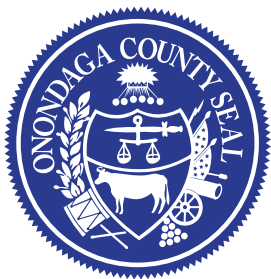
800 South State Street

Friday, November 20, 2015

Doors Open 8:30 A.M.

Ceremony to begin 9:30 A.M.

Refreshments will be served



FREE EVENT AND OPEN TO THE PUBLIC

LEGAL BRIEFS BRIEFS BRIEFS LEGAL

Mitchell Katz named Fellow of New York Bar Foundation

The law firm of Menter, Rudin & Trivelpiece, P.C. announces that Mitchell J. Katz has been named a Fellow of the New York Bar Foundation. Fellows are nominated by peers and recognized for distinguished achievement, dedication to the legal profession, and commitment to the organized bar and service to the public. "Being a Fellow of The New York Bar Foundation is an honor," states Chair of the Fellows, Emily F. Franchina. "Fellows represent one percent of the New York State Bar Association membership. Being nominated and elected is a notable achievement."



Andrew Morabito Joins Barclay Damon, LLP

Andrew G. Morabito has joined Barclay Damon, LLP as an associate in the firm's Syracuse Office.

Morabito will join the Intellectual Property Practice Group with a focus on patents and trademarks.

Morabito graduated cum laude from Kettering University with a degree in mechanical engineering and spent several years working as a Patent Agent prosecuting and drafting patent applications while attending The University of New Hampshire Law School.

He is admitted to practice in New York State.

Carl Preston Last Will & Testament

If anyone has information regarding a last will and testament drawn up by a local lawyer, please contact his son:

William Jake Preston
13 Galatia Street
Marathon, NY 13803
(607) 727-5855 william.jake.preston@gmail.com

Assistant City Attorney - City of Ithaca

SALARY: \$81,872 with substantial increases anticipated across the first five years. **Candidates must become a Tompkins County resident within one year of appointment and remain a Tompkins County resident for the duration of employment.**

The City Attorney's Office in Ithaca, NY (consistently rated one of the most "livable" cities in the U.S.), seeks to fill the full-time position of Assistant City Attorney, part of a dynamic legal team that advises City government in its operation and legislation. The successful candidate will have substantial experience in civil litigation or labor and employment law (grievances, arbitration, contract negotiation, etc.). Expertise in contract, land use, environmental, real estate, and/or municipal law is desirable.

Graduation from a New York State registered or regionally accredited law school and three years of experience in the practice of law with significant litigation and courtroom experience.

Preference may be given to candidates with experience in civil, municipal, personnel and construction law and/or candidates with demonstrated familiarity with the legislative and administrative processes. Must be licensed to practice Law in New York State.

Applications must be received by the City of Ithaca Human

Resources Department no later than 4:30 PM EST on the last submission date indicated below. Postmarks are not accepted. All applications must be original applications. We do not accept faxed applications, electronic applications or photocopies of applications.

APPLICATION MATERIALS REQUIRED:

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- Copy of undergraduate and law school transcripts
- Copy of license to practice law in New York State

Applications must be received by the City of Ithaca Human Resources Department **no later than 4:30 PM EST on the last submission date indicated below.** Postmarks are not accepted. All applications must be original applications. We do not accept faxed applications, electronic applications or photocopies of applications.

Submit required application to:

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OCBA Paralegals Committee

Contributor | Karen Hawkins

Monthly Luncheon Meetings

The October 26, 2015 OCBA Paralegals Committee Luncheon was held on location at the Onondaga County Courthouse. The Honorable Michael L. Hanuszczak spoke to a rather large gathering about the different cases that are handled in Family Court. There were many new faces in the audience including several students from Bryant & Stratton College.



Judge Hanuszczak has served as a Family Court Judge in Onondaga County for twelve years and has served as Acting Supreme Court Justice in the Fifth Judicial District since 2004. He currently presides over the Family Treatment Court and previously presided over the Integrated Domestic Violence Court. Judge Hanuszczak received his undergraduate degree from Syracuse University's Maxwell



School and obtained his law degree from SUNY Buffalo Law School. He spent ten years in private practice and served for a number of years as a member of the Fourth Department's Attorney for the Child Panel. Judge Hanuszczak has an extensive public service background including serving as a member of the

Onondaga County Legislature, Central New York Regional Office Head in the New York State Attorney General's Office and Special Counsel to the Chair of the Workers' Compensation Board.

Looking ahead - November 12th

Our November speaker will be **Supreme Court Justice Deborah Karalunas** who will be speaking about her role in the Supreme Court. The location of this luncheon to be announced. **Please mark your calendars for November 12th.**

Students will receive \$1.00 discount for the November luncheon!

The cost for lunch is \$11 for OCBA members and \$12 for non-members. **Reservation deadline is 4:00PM 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.

Please invite your bosses, legal administrators and co-workers. These luncheon meetings are not restricted to just Paralegals Committee members.

OCBA Paralegals Committee 2015 Holiday Luncheon



Join us for our annual Holiday Luncheon at the Spaghetti Warehouse on Thursday, December 10th, 12:00 – 2:00 p.m. Spaghetti Warehouse is located at 689 North Clinton Street, Syracuse. The cost of the luncheon is \$22 per person. Contact Jean Swanger at jswanger@gilbertilaw.com to make your reservation. As in the past, we have adopted a P.E.A.C.E. family, as well as a veteran, and will be collecting donations for them*. We will also have several door prizes, games, 50-50 Raffle and lots of fun! The individual who brings the most "new" guests gets to choose 1st prize out of all of the door prizes! Our special Holiday menu:

*If you or your organization would like to donate money or gift

Spaghetti & Meatballs
15 Layer Lasagna
Four Cheese Manicotti
Fettuccini Alfredo
Chicken Parmesan
Grilled Chicken Caesar Salad
Sourdough Bread
Oreo Dream Bars or Raspberry Cheesecake

items for our adopted P.E.A.C.E. family and veteran, please contact Kathrine at kathrinecook0@gmail.com or Karen at khawkins@gilbertilaw.com.

If you have suggestions for guest speakers or presentation topics, please do not hesitate to contact any member of the Executive Committee. We value your input!

Kathrine Cook
Ranette Releford
Faye Williams
Jean Swanger
Angelique Kraus
Karen Hawkins

kathrinecook0@gmail.com
ranettereleford@gmail.com
frwilliams2@gmail.com
jswanger@gilbertilaw.com
akraus.paralegal@gmail.com
khawkins@gilbertilaw.com



ESAPA News

Empire State Alliance of Paralegal Associations, Inc.'s ("ESAPA") Spring Conference will be held in Syracuse in May 2016. More information will follow as details are finalized. Stay tuned!

To find out more about ESAPA please contact Faye Williams at frwilliams@gmail.com.

com or check out ESAPA's website at: <http://empirestateparalegals.org>.

Our Paralegals in the Field

Ranette Releford from Bousquet Holstein, PLLC continues to work with the Onondaga County Volunteer Lawyers Project. VLP's mission is to identify and satisfy the unmet civil legal services needs of low income people in Onondaga County through increasing pro bono participation of the legal community. If you are interested in volunteering, contact Ranette at ranettereleford@gmail.com.

Angelique Kraus from the Wegerski Law Firm continues to work with the OCBA CLE Committee and recently served as the OCBA liaison/registrar at the Oswego Class and Clams CLE presented on

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OCBA Paralegals Committee

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October 3 at Bridie Manor in Oswego. The full-day CLE was a joint collaboration between the Onondaga and Oswego County Bar Associations and covered CPLR, Real Estate, DWI Defense, Ethics and Matrimonial and Family Law updates, as well as hosting two speakers from the New York Lawyers' Fund for Client Protection (Tim O'Sullivan, Esq. and Michael Knight, Esq.), who shared a guide on maintaining Attorney Trust Accounts (IOLA) and described how their office investigates bank/client complaints and conducts audits. The CLE was well attended and was very helpful for paralegals that work in these practice areas and deal with escrow accounts and/or perform firm administration functions.

Are you doing pro bono work or otherwise volunteering in our community? If so, let us know and we will include your important work in our next article. Contact Karen Hawkins at khawkins@gilbertlaw.com.

The Executive Committee Could Use Your Help

The Paralegals Executive Committee ("EC") meetings are scheduled the first Wednesday of the month. EC meetings begin 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 GSHS offices

and Hamilton White House). **EC Chair Kathrine Cook extends an invitation to paralegals who would like to find out more about serving on the Executive Committee.** (If you have thought about joining the Executive Committee but the meeting time doesn't work for you, let us know. We may change the meeting time for our Executive Committee meetings, or some of the meetings, if it would work for more volunteers). If you are interested in attending the EC meetings to share your ideas for upcoming programs and ways to better serve the paralegal members, please contact Kathrine Cook at kathrinecook0@gmail.com

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.

BAR ASSOCIATION MARKETING COMMUNICATIONS COORDINATOR:

The Onondaga County Bar Association, a 1,300-member professional association, seeks individual to plan, market, implement and evaluate its member communications (including monthly "Bar Reporter" newsletter, website and member emails), member events, community events and educational (Continuing Legal Education) programs. Excellent verbal and written communication skills, initiative, ability to balance several tasks and engage volunteers and program committees. Attend community events/programs as representative of OCBA. Experience with MS Office, and graphics ability and familiarity with Adobe Creative suite/cloud a plus. If selected for interview, representative samples of written work and/or creative output requested. Law-related experience a plus, BA/BS in marketing/communications or related work experience. Salary: DOE. Reply in confidence with salary history by December 1, 2015 to:

Executive Director, OCBA
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BAR BOARDS:

Opening for Estate & Trust Attorney at Melvin & Melvin, PLLC

Mid-size Syracuse law firm has opening for an attorney in upstate New York with 2-5 years experience in the area of estate and trust practice. Please send response to hiringpartner@melvinlaw.com.

Newly Admitted or Awaiting Admission Openings at Litigation Boutique Firm

Gale Gale & Hunt, LLC, a litigation boutique rated one of the top places to work in Central New York, has opening for two attorneys admitted, or waiting admission, to the NYS Bar. Ideal candidates have 0-2 years of experience, were law review and in the top 15% of their class. An interest in medicine is a plus. Interested candidates should send a CV and law school transcript to acappon@gghlawoffice.com or fax to (315) 637-3667. Inquiries will be treated confidentially.

Immediate Opening for Litigation Attorney - Sheats & Bailey, PLLC

Sheats & Bailey, PLLC is seeking an experienced litigation attorney, with a minimum of 5 years experience, for its Upstate NY office. Candidate should have commercial litigation experience in New York State Courts and must be self-motivated and possess strong organizational, research and writing skills. We offer a competitive compensation and benefits package. Qualified candidates should submit resume, cover letter and writing sample by email to bsantini@theconstructionlaw.com, or by mail to Sheats & Bailey, PLLC - P.O. Box 820, Brewerton, NY 13029, Attention: Human Resources.

Downtown Firm Looking for Experienced Personal Injury Litigator

Established downtown law firm seeks attorney with minimum of three years of experience in personal injury litigation to represent plaintiffs; full-time employment; salary and benefits commensurate with experience; send cover letter and resume to syracuselawfirm@gmail.com; all inquiries will remain confidential.

Public Finance Associate Opportunity at Nixon Peabody LLP - Rochester, NY Office

Nixon Peabody is seeking a highly motivated associate to join our Public Finance Practice Group in the Rochester office. To learn more, and to apply online, please visit our website at <http://www.nixonpeabody.com/Careers>

Nixon Peabody LLP is an Equal Opportunity / Affirmative Action Employer. Disability / Female / Gender Identity / Minority / Sexual Orientation / Veteran.

In Memoriam ...

William S. Andrews
September 28, 2015

Alan S. Burstein
October 1, 2015

Daniel B. Hall
October 19, 2015

FROM THE EDITORIAL BOARD

To advertise in the Bar Reporter, call the Onondaga County Bar Association at 315.579.2578.

The Editorial Board encourages members to submit articles for publication concerning issues presented in each edition or other issues related to the legal community. Submissions should be sent to OCBA, Attention Bar Reporter or Email cstirpe@onbar.org.

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The Lawyers' Assistance Project Of Onondaga County

What is the Lawyers' Assistance Project?

The Lawyers' Assistance Project of Onondaga County is a confidential service providing information, referrals, access to professional counseling and peer support.

What Kind of Assistance is Available?

You are entitled to a confidential telephone consultation, free counseling sessions with a professional counselor, and participation in peer support groups.

What Can I Expect When I Call for an Appointment?

You will talk to an intake coordinator who may refer you to an experienced counselor. Family Services Associates serves as the Project's counseling agency.

Is Contact with the Lawyers' Assistance Project Confidential?

YES. You can discuss the issue of confidentiality with the intake coordinator or counselor.

Why Was the Project Set Up?

The Project was established to assist lawyers who have problems with alcohol, drugs, stress, anxiety, depression, gambling and other personal problems.

Who May Call?

Attorneys, judges and law students in Onondaga County and these other neighboring counties: Oswego, Jefferson, Lewis, Herkimer, Oneida, Cortland, Cayuga and Madison counties.



For more information contact:

The New York State Bar Association Lawyer Assistance Program-- (800) 255-0569

Family Services Associates-- (315) 451-2161

Onondaga County Bar Association

Executive Director, Jeff Unaitis-- (315) 579-2581

DID YOU KNOW ...

OCBA receives calls every week from clients who are trying to locate documents or files once held by their attorneys, after that attorney has moved, stopped practicing or passed away.

If you know where your files will go after you're gone, Contact Membership Coordinator:

**Peggy Walker at 579-2582
or email pwalker@onbar.org**



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carleomedlegal@gmail.com



Susan Carleo

Onondaga County Bar Association
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Syracuse, NY 13202