



ONONDAGA COUNTY BAR ASSOCIATION BAR REPORTER

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

Onondaga County Mock Trial Season Set to Begin

By Carrie Chantler

Social Studies teacher Joe Worm and legal advisor and Onondaga County Bar Association member Danielle M. Fogel, Esq. are proud of the Fayetteville-Manlius Mock Trial team. Their tutelage, after all, was key to the Hornets clinching the 2016 NYS High School Mock Trial State Championship.

On Thursday, March 2, the 2017 Mock Trial season begins in Onondaga County. Teams of teenaged lawyers will take up the prosecution and defense in this year's case, *Robin Berkman v. County of Dover*.

This civil action centers on a flawed law enforcement investigation and a wrongful conviction, previously vacated by a state Supreme Court order, in an attempted murder and robbery case.

Will the plaintiff's argument of lack of probable cause to arrest and prosecute meet with success? Or, will the defendant prevail, even after a qualified immunity defense is struck down?

During the six-week tourney, 14 area high school teams will work out the knots of this malicious prosecution

case – prepping witnesses, drafting outlines, crafting questions, and following strategies. And along the way students will discover insight into themselves; what it means to be a public speaker, why professional conduct matters, and how to think and reason.

"Mock Trial helps students start to think more analytically and conduct themselves respectfully and artfully before a judge," said Fogel, a litigator and partner at Sugarman Law Firm.

Fogel and Worm work together to prepare the legal Hornets. In the lead up to last year's championship, Worm said his team clocked in 100 hours of preparation in twice-weekly, two-hour practices. Students have

been known to forgo weekend or holiday fun to gather and formulate plans of action. Fogel hits practices when she can, most trials too, and makes herself available via phone and email for all questions and concerns.

"It's just amazing to watch 16-, 17- and 18-year-old kids actually act as if they're attorneys," she said. "I think they act sometimes better than some attorneys."



Law, Youth and Citizenship

Continued on page 3

UPCOMING EVENTS:

Events	Dates
CLE Of Branding & Brandy Trademark	3/15
Annual Meeting	4/6
County High School Mock Trial Finals	4/12
CLE Oswego ACP Daylong Training	4/20
Law Day	5/2

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

The weather in Central New York this past February was odd even for CNY standards -- snowstorms **and** record-breaking warm temperatures. As I write this, temperatures in the 70s are forecasted for today, and much lower temperatures and strong winds and snow are expected tomorrow. Hopefully, the wildlife and trees that are showing signs that they believe that spring is here after a more than a week of warm weather will survive whatever else comes our way during the remaining weeks of winter and the coming spring.



Thanks to all who joined with us at our Annual Memorial Observance for our members who passed away during the previous year. If you missed it, the transcript of the program is available at <http://www.onbar.org/member-benefits/in-memoriam/>. Always a moving tribute to our deceased members, at this year's memorial we remembered 25 of our colleagues. Thanks so much to Fran Ciardullo and Mark Ventrone for all the time and thoughtful preparation they put into this profoundly touching event.

The first CLE sponsored by OCBA's Community Engagement Committee was both informative and well-attended. The CLE was developed to provide guidance to lawyers who serve on boards of nonprofit organizations as a way of supporting lawyers' community service work. Audio recordings of this and other OCBA CLEs are available on our website for a per-credit fee. <http://www.onbar.org/wp-content/uploads/2013/12/Audio-CLE-Order-Form-2017-1.pdf>.

I turned 58 this month and was once again reminded of how time passes by more quickly with each year. One of the few things I would gladly trade with my younger self is that youthful experience of days, weeks and months that seem like an eternity. What brings this particular reflection on? Besides my birthday and a February vacation that went by way too quickly – the too rapid approach of OCBA's Annual Meeting at which we elect our new OCBA Board Members and Officers taking place on April 6 at noon at the Legislative Chambers at the Onondaga County Courthouse, soon to be followed by the installation at our Law Day Celebration on May 2. Please save the dates and remember to send in your ballots.

A handwritten signature in black ink that reads "Jim Williams". The signature is written in a cursive, flowing style.

High School Mock Trial Season Looms

Continued from page 1

That likely has to do with Worm, now in his fourth year of coaching, who claims coaching a Mock Trial team differs from coaching a sports team.

"I find that it prepares the students for a lot of things in life in a unique way that nothing else can really match. In terms of value added to their high school experience, I would put Mock Trial up there against any other activity, sport, accolade, or honor," he said in an email. "It helps them see that issues are complex and have multiple sides that can be equally correct."

Worm finds the study of law fascinating and he brings this fire with him to practices. Cognizant that students model adult behavior, he makes a point to be encouraging.

2017 Mock Trial Teams

Cazenovia	Jordan-Elbridge
CBA	Lafayette
Chittenango	Liverpool
Cortland	Marcellus
East Syracuse-Minoa	Nottingham
Fayetteville-Manlius	Tully
Jamesville-Dewitt	Westhill

"I try to inspire them to have confidence in themselves and in each other. It is really rewarding to put the hard work in and see the growth from trial to trial," Worm said. "The students really mirror the confidence and effort that I show, so by putting the passion into it that I do, they match and in many ways surpass it."

On trial days, as kids ready themselves for their day in court, Worm ticks off the 'don't forgets' from his action-item lists and is fond of giving motivational pre-trial pep talks. And on these days he wears a suit to get into "trial mode."

"One special way we prepare is to always practice like it is the real thing," he said. "For example, when we are running a witness, the attorney who crosses that witness makes objections. I make them stand every time they address me (the judge) so that they get in the habit. Similarly, I always make them run through the whole evidence procedure when we use it in practice so that it becomes rote memory."

Last year, Worm's team went undefeated among a local field of 16 competitors before claiming the county, then regional, title. In the state championship match, the Hornets faced the state's top-ranked public school and 15th best in the nation, the High School of American Studies at Lehman College.

Calendar

Regular Season	Thurs. March 2-16
Quarter Finals	Thurs. March 23
Semi Finals	Thurs. March 30
Finals	Wed. April 12

State Supreme Court Justice Michael C. Lynch presided over the Albany proceeding, giving the win to the F-M team noting its professionalism and focus, commenting that a lack of cross-talking at counsel's table was especially appreciated.

"On a personal level, it was such an honor to have been part of such a significant group accomplishment," Worm said.

"Although most people don't know what Mock Trial is all about, those who are involved know how great an experience it is. To me, it feels like a rare opportunity to excel at something very challenging."

Are you looking for a way to become involved?

OCBA President Jim Williams views participation in Mock Trial as a way of deeply engaging in the future of our profession, saying "In many ways, our members share their knowledge and expertise and in so doing help create a positive change. In my mind, Mock Trial is a part of community engagement."

If you are interested in being a Mock Trial judge this year please contact OCBA Executive Director Jeff Unaitis at (315) 579-2581 or junaitis@onbar.org.

Honoring 25 colleagues and friends at the 2017 Memorial Observance

By: Michele Maciejewski



This year we hosted the largest memorial observance in the Onondaga County Bar Association's 130+ year existence. 25 of our locally born or based colleagues, mentors and friends passed away in 2016.

The ceremony was held on the rainy Thursday morning of February 2, 2017. The gathered filled the Onondaga County Courthouse's Legislative Chambers to the brim, leaving standing room only. With 25 lawyers and judges, leaders and philanthropists, advocates and innovators, soldiers and patrons, and mothers and fathers to honor, few attendees moved except to laugh or sigh.

Onondaga County Court Judge Stephen J. Dougherty showcased the knowledge, passions and sacrifices

and the immense impression left by these men and women. He noted that beyond normal law practice, there were several judges, a journalist, a psychologist, a published author, teachers, professors, assistant district attorneys, a town supervisor, a restaurant owner, a police officer, a President of Planned Parenthood, a political party founder, the founder of the modern-day OCBA, 18 SUCoL grads, and at least 12 military veterans.

Once again, OCBA members Frances Ciardullo and Mark Ventrone provided wonderful anecdotes and memorials about each person.

A full transcript of the event is available at www.onbar.org/member-benefits/in-memoriam-2017/

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THE OCBA IS SEEKING NOMINATIONS FOR...

Onondaga County Bar Association Outstanding Service Award

This award is given to a lawyer whose exceptional service to the profession has contributed to the good and welfare of the Onondaga County Bar Association and its members.

Eligibility:

Nominees must be a bar association member in good standing.

Criteria:

- Exceptional service to the legal profession or community and/or
- A single extraordinary contribution or project; and
- Contribution to the good and welfare of the OCBA and its members



The Awards Committee was formed in 2016 to serve as the OCBA clearinghouse in nominating members and others for awards given by the bar association.

The OCBA Awards Committee seeks to recognize deserving lawyers and organizations by nominating them for appropriate awards.

A resume or similar biographical material for the nominee should accompany this form.

On a separate sheet, please provide as much supporting information regarding the nominee's qualifications for this award. Also, as concisely as possible, please describe the contributions and/or accomplishments of the nominee that inspired the nomination.

This nomination must be submitted by April 3, 2017. The award is presented on Law Day.

Mail to: Awards Committee
c/o Onondaga County Bar Association
CNY Philanthropy Center
431 E. Fayette St.
Syracuse, New York 13202

Nominee (Name): _____

Title/Position: _____

Business Address: _____

Telephone: _____

Email: _____

Nomination submitted by (Name): _____

Address: _____

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Anticipate the Future – Part Two

How Lawyers Prepare for Technological Innovation

By: Brani Andreev, Associated Services

Across our society, we are witnessing economic and technological changes at an unprecedented rate. These changes will continue to influence the way we live, work and perceive the world around us. Lawyers are exploring opportunities to innovate in ways that benefit their clients and to reshape the legal services sector. Innovation in the legal sector is quickly becoming a key differentiating factor and a competitive advantage.

So how can lawyers adapt and get ready for a future of technological disruption in the legal industry? According to the Law Society, developing a strategy for innovation should start with a clear understanding and articulation of the law firm's business objectives. How can a lawyer or a law firm create value for its clients? How to capture a share of the value that innovation might create? How can law firms improve the quality of the services they provide and differentiate themselves from others?



Develop a business strategy with innovation in mind

Seeking answers to these questions is the heart of developing your law firm's business strategy where innovation becomes an integral part of it. Corporate law firms may utilize Artificial Intelligence to create more efficient volume processing, where smaller legal practices may implement new ways to interact with their clients and tap into more predictive case analysis. Technological developments will further simplify and streamline consumer-driven innovations that offer guidance and legal advice.

Know your client and fix your outdated processes

Once upon a time lawyers specialized in helping clients with mostly traditional legal matters. As the

complexity of our society increases, so does the introduction of new areas of legal practice. One client may need advice on cryptocurrencies or Bitcoins. Another may be in a legal dispute over right of way of his drone. Technology is further adding to the array of legal services and the opportunities to help your clients. The most important steps any law firm can take venturing into this exciting world are improving and re-engineering the processes within the firm. As more start-ups release solutions to automate repetitive legal processes, lawyers must examine how such automation helps or threatens their existing practices, and how adopting it may help cut costs and add value for clients.

Are you still using spreadsheets to run your practice? Clients seek value now! Investing in technological infrastructure is of paramount importance to your law firm regardless of the size. Analyzing your existing processes, and updating them to meet the needs and expectations of your clients must become an integral part of your business objectives. Automating and simplifying your back-end processes are the necessary groundwork to achieve effectiveness, consistency in the quality of the legal services you offer, and retain a competitive advantage.

Build Transparency with Your Clients

Nearly half of the population nowadays uses mobile technology to access services and information, and your clients expect to be served by the world to their phone. Innovations in the industry can help law firms be more transparent by giving clients access to case updates and clear information about the process. Increased process visibility helps strengthen the law firm relationship with their clients. It opens up new communication channels, predicts actions and delivers services accordingly. While building transparency, law firms must examine the needs and demands of their clients as they are the key drivers of change.

Preparing for Technological Innovation

Collaboration and Marketing in the Digital Age

Technology will continue to change the day-to-day landscape of the legal industry, and these changes include the constant evolution in the marketing side of running a law firm. While lawyers may certainly hire a marketing expert to help with their marketing strategy, it is important that they have at least a working knowledge and understanding of how the process called marketing works in the digital age. However, in a world abundant of the same noise, it has become very difficult and/or costly to achieve strategic advantage over your competitors. Smaller law firms may find it advantageous to seek collaborative partnerships. Collaboration enables legal practices to achieve more than any individual firm, regardless of the size. By bringing together a different mix of resources, law firms can better serve their clients, particularly in a rapidly changing environment where professional boundaries diminish.

Successful use of technology that serves to improve and benefit usually involves broader thinking about

business models and strategy. It is important that law firms consider the back-end operations which include organization, management and marketing, as the front-end operations that deal with service, process and delivery. Law firms that utilize technology to better understand their clients will be better equipped to design and provide more tailored solutions. Innovative technologies allow lawyers to better understand their margins and be able to set more competitive pricing strategies. And law firms that deliver affordable, relevant and insightful solutions to their clients will most likely retain their competitive business advantage.



Brani Andreev is the owner of Associated Services, a legal support and management services agency located in Syracuse, NY. She is a frequent speaker on the topics of headache-free process serving and law firm management.

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Bousquet Holstein PLLC, a multi-disciplined law firm located in Syracuse, NY, is seeking to hire an experienced commercial real estate attorney. Candidates should have experience representing purchasers, sellers, developers, lenders, investors, landlords, and tenants. Desired experience includes all aspects of the commercial real estate development process including the drafting of complex purchase and option agreements, site review, zoning and right to build, project financing, industrial development agency transactions and PILOT agreements, mortgages and secured transactions, commercial and retail leasing, condominiums, TICs, and other sophisticated real estate structures. Creative problem-solving and drafting skills are required.

Inquiries will be kept confidential and should be submitted via email to hr@bhlawpllc.com or to Human Resources, Bousquet Holstein PLLC, 110 West Fayette Street, Suite 1000, Syracuse, NY 13202.

New Leadership at Public Criminal Defense Agency

By: Carrie Chantler

The Assigned Counsel Program bid hello to a new office location and an executive director in 2016 and welcomed additional leadership in early 2017.

As 2016 waned, the ACP staff moved its offices from the first floor of the State Tower Building upstairs a floor to suite 220. At that time, former Onondaga County Deputy Attorney Kathleen Dougherty was also named to head the program.



Dougherty worked in the county's law department for 17 years and led its litigation unit. As a county attorney, she was familiar with the statewide reforms stemming from the settlement of the *Hurrell-Harring v. New York* lawsuit, which spurred recent operational and personnel changes at the local ACP.

Joining Dougherty is David Savlov, Esq., recently named the ACP's new deputy director. Savlov is an experienced civil and criminal litigator admitted to practice in all Courts of the State of New York and Federal Court of the Northern District of New York.

In private practice, he focused on family law, real estate, and business law and served on the New York State Attorneys for Children Program. An active parent in the Liverpool Central School District, Savlov served on its school board as vice president and acting president from 2006 to 2009. In addition to serving on a variety of school committees and clubs, he was also a member of the Optimist Club of Liverpool.

Coming aboard as the ACP Compliance Attorney is Laura Fiorenza, Esq., a former assistant district attorney with the Onondaga County DA's Office.



Clockwise from left: Kathleen Dougherty, Laura Fiorenza and David Savlov.

For 23 years in the DA's office, Fiorenza coordinated complex, long-term investigations and prosecutions for both large and small illegal operations, trying more than 30 felony criminal cases and more than 30 misdemeanor and petty offense cases.

In addition to her work with the Animal Abuse Unit, Municipal Court and Domestic Violence Bureau, Narcotics and Special Investigations Unit, and the General Felony Unit, Fiorenza turned her energies toward mentoring new attorneys and improving training efforts.

Volunteer Lawyers Project Welcomes Five New Staff

By: Sally Curran, Esq., Director, OnVLP

The [Volunteer Lawyers Project of Onondaga County](#) is happy to introduce our newest team members.

Lanessa Owens joined the staff in July 2016. As a Staff Attorney with the New Start Program, Lanessa oversees the service of providing reentry assistance. She assists those seeking employment and housing overcome barriers caused by their criminal histories, helping them obtain certificates of relief from disability and other forms of relief. She is coordinating volunteer law student and attorney work in this program. Lanessa is also exploring other policy advocacy efforts that OnVLP can take to advance the rights of our clients.

Also helping with the New Start Reentry Program is **Dewayne Comer**, who joined us in November 2016. Dewayne is a Legal Assistant with the New Start Program, assisting with client intake and communication, plus outreach in the community.

In December 2016, Attorney **Cheryl Jones** became a part of the team and is running our new Community Economic Development Program. The goal of this new program is to offer critical early stage legal and business advice to low-income entrepreneurs starting small businesses. Clients will be matched with volunteer attorneys who provide support in regards to business development.

In January 2017, **Herve Comeau** joined the OnVLP team as a Pro Bono Immigration Coordinator. He is coordinating many "know-your-rights" trainings and consultation legal clinics for immigrants and refugees in the community. The Immigration Program offers pro bono support to address unmet immigration legal needs of non-citizens in Central New York, the North Country, and the Mohawk Valley regions.

Also in January 2017, **Laurie Rolnick** joined our staff as the Pro Bono Coordinator for our Homeless Advocacy and Prevention Program. Laurie originally spent substantial time volunteering with us over the summer, and we're thrilled to have her rejoin our team as a staff member. The Homeless Advocacy and Prevention Program wfocuses on addressing



Left to Right: Herve Comeau, Lanessa Owens, Cheryl Jones, Laurie Rolnick, Dewayne Comer

legal needs that are often barriers to rising out of homelessness, such as family law, housing issues, consumer issues and Social Security applications. Laurie is looking to expand the program to Cayuga and Oswego counties and expand the work that we do to assist the community with social security applications.

For contact information for any of our staff, please see our website at:

<http://www.onvlp.org/about-us/staff-and-board/>

For information on any of these programs or to join our agency as a volunteer, please contact Sally Curran, Executive Director at scurran@onvlp.org. We are actively seeking volunteers for all of these programs.

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OnVLP Provides Two Crucial Clinic Training CLEs

By: Katie Tastrom, MSW, Esq.

Things You Should Know About Child Support Enforcement

Whether you work in family law or in a completely different area, it is important to know about the child support enforcement program since child support can affect so many different areas of the law, such as benefits, tax, landlord-tenant, etc. Recently, the Onondaga County Bar Association worked with the Volunteer Lawyers Project of Onondaga County and the Central New York Women's Bar Association to provide a CLE that included Lorraine Korkus from Onondaga County Child Support Enforcement, who explained the basics of the program.

Every state in the country is required to have a program that assists custodial parents to establish paternity, collect child support, and enforce child support orders that are not being paid. In New York, we have child support enforcement (CSE). Along with the above-mentioned services, CSE helps locate non-custodial parents, and help custodial parents seek establishment and modification of support orders. To make sure that child support is paid, CSE will usually set up a way to withhold payments from the non-custodial parent's paycheck and transfer the child support to the custodial parent. If the non-custodial parent is not paying the child support they owe the CSE can also intercept tax refunds, lottery winnings, or other assets. CSE doesn't only help custodial parents though, they also can assist non-custodial parents who want to pay their child support but are going through difficult times.

If you have a client that needs the help of the Onondaga County CSE they can contact Child Support Service by going in person to the Civic Center at 421 Montgomery Street, 4th Floor, Monday through Friday from 8am to 4:30 pm or

they can call 1-888-208-4485.

People that need assistance with family court matters and earn less than 200% of the poverty line are also eligible to receive assistance from ONVLP's family court clinic in room 116 of the County Courthouse on Wednesdays 9am to 3pm and Fridays from 9am to 12am. It is first come, first served so folks should get there as early as possible.

If you would like to volunteer at this clinic you can contact Mary John, Esq., the family law supervising attorney at OnVLP. You can call Mary directly at (315) 579-2574 or email her at: mjohn@onvlp.org.

VOLUNTEER LAWYERS PROJECT OF ONONDAGA COUNTY, INC.

The Volunteer Lawyers Project of Onondaga County's mission is to provide access to justice through engaging the legal community in volunteer service to those in need.

Issues affecting the *essentials of life*

Family Court, Uncontested Divorce, Eviction Defense, Homeless Advocacy, Trusts & Estates, Elder Law, Veterans, LGBTQ Law, Immigration, Reentry, Nonprofits

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"I enjoy volunteering because I get the immediate gratification of knowing that the time I'm committing is benefitting someone who wouldn't have the opportunity to gain legal services elsewhere."

Law Student Testimonial

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OnVLP Eviction Defense

On December 6, 2016, Onondaga County Bar Association and Volunteer Lawyers Project of Onondaga County provided a CLE on eviction defense training for the OnVLP court clinic. I was lucky enough to attend the excellent CLE and I was able to learn more about eviction defense in general and the OnVLP eviction defense court clinic in particular. No matter what kind of law you practice, as an attorney in central New York, you are probably aware of the housing crisis currently happening in the Syracuse area. Many families and individuals are having a difficult time finding safe, affordable, and stable housing and are at risk for evictions and inhabitable conditions.

CLE attendees learned the basics of eviction defense from Syracuse eviction defense legend/encyclopedia Lewis Liebler, Esq., of Legal Services of Central New York. We learned to focus on the long term needs of the client and to ask them what they wanted the outcome of the proceedings to be, such as whether they wanted to move and just needed a few more days, whether they wanted to work out a payment plan to stay, or another alternative. Lewis also explained the ins and outs of basic eviction procedure and the need for the landlord's strict compliance with the statutes.

We also learned about OnVLPs eviction defense program, which is (impressively) five days a week and is available to clients who earn below 200% of the poverty line, which in 2015 was \$31,860 for a family of two. The clinic is set up for lawyers who may not have a ton of experience in eviction defense and they will give you the tools you need to help.

Generally the intake will be done by an intern or the clinic coordinator and the legal issues will already be identified so your job will be talking to the clients you are assigned and helping them get the best outcome possible as any legal representation will greatly increase their chances of continuing to access safe housing whether in the residence at issue or somewhere else.

Even if you do not have much experience with eviction issues, trainings like this one can help you understand what you need to know for eviction defense. The program is managed by Deb O'Shea, ONVLP's pro bono coordinator, and is located at Syracuse City Court, Part 1 from 9-11am Monday through Friday. If you would like to get involved as a volunteer you can contact Deb directly at (315)579-2577 or doshea@onvlp.org.

OCBA 2017 Calendar of Events		
March	15	CLE Of Branding & Brandy: Wine & Spirits Trademarks 101
April	4	CLE Splitting the (Tax) Baby
	6	Annual Meeting
May	20	CLE Daylong Oswego ACP
	2	Law Day
	11	CLE Employment Law and CLE Human Trafficking
June	19	Elder Law Fair at OCC
	TBD	CLE Bridge-the-Gap
August	TBD	Diversity & Inclusion's "Welcome to Syracuse" Reception
	10	OCBF Golf Tournament
September	TBD	50-Year Luncheon
October	26	Annual Dinner
December	7	Holiday Open House

Smith Sovik Welcomes Two New Associates to Firm

Smith Sovik is pleased to welcome [Robert J. Connor, Esq.](#), and [Daniel S. Greene, Esq.](#) as Associate Attorneys at the Firm.

Robert Connor is a *cum laude* graduate of the University at Buffalo School of Law where he was awarded the Robert J. Connelly Award for Trial Technique. Before joining Smith Sovik, Robert had the opportunity to intern for the Monroe County District Attorney, the Monroe County Public Defender, and Disability Rights New York where he was involved in all stages of litigation.

Dan Greene is a graduate of the Syracuse University College of Law where he was an Associate Notes Editor for the Syracuse Law Review and President of the Entertainment & Sports Law Society. Before joining Smith Sovik, Dan interned with Carrier Corporation and clerked with a New York Supreme Court Justice in the 9th Judicial District.



At the firm, Robert and Dan will be involved in all areas of litigation including construction claims, motor vehicle accidents, premises liability, environmental and toxic tort, Labor Law, professional liability, product liability and Workers' Compensation defense.

Dan Norton Partner at Hinman, Howard & Kattell



[Hinman, Howard & Kattell, LLP](#) is pleased to announce that [Daniel R. Norton, Esq.](#) has become a Partner of the firm effective January 1, 2017. Mr. Norton joined Hinman, Howard & Kattell as an associate in the fall of 2013 in the firm's Binghamton office. Mr. Norton is a member of Commercial Litigation & Bankruptcy practice groups.

Mr. Norton received his BA in 2004 from the University at Albany (summa cum laude) and his JD in 2008 from Cornell Law School. Mr. Norton has appeared before the United States District Court, Northern District of New York, the New York State Appellate Division, Third and Fourth Departments, and the New York State Supreme Court.

In 2012, Mr. Norton was selected as one of the Southern Tier Opportunity Coalition's "20 in their Twenties" and was named a Super Lawyers Rising Star in Upstate New York in 2013, 2014, 2015 and 2016.

Four Smith Sovik Partners Named Best Lawyers

[Smith Sovik Kendrick & Sugnet PC](#) is proud to announce that four Smith Sovik Partners are listed in the "Best Lawyers in America – Business Edition Winter 2016" magazine published by *Best Lawyers*.



Williams



Lantier



Johnson



Hulslander

Smith Sovik offers congratulations to each of these attorneys who have been lauded for exceptional work in their practice areas: Kevin E. Hulslander: Medical Malpractice - Defense, Insurance Law, Products Liability Litigation, Eric G. Johnson: Medical Malpractice - Defense, James D. Lantier: Medical Malpractice - Defense, Steven W. Williams: Products Liability Litigation.

Capozza Named Head of U.S. Delegation to CIC



[Richard R. Capozza](#), a partner in Barclay Damon's Environmental Practice Area was elected as the Head of the U.S. Delegation of the International Council for Game and Wildlife Conservation ("CIC") at a meeting held on November 30, 2016 in New York City.

CIC is a politically independent and globally respected hunter-conservation advisory organization dedicated to promoting sustainable hunting to conserve wildlife and wild lands, support communities and indigenous peoples, and preserve the hunting heritage across the globe. CIC's unique membership structure includes nation states, corporations, and individuals. Under both the Convention on Biological Diversity (CBD) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the CIC is the only hunting organization worldwide that enjoys the official status of an Intergovernmental Organization.

Mr. Capozza is the chair of Barclay Damon's Energy Practice Area and primary point of contact for the firm's largest energy and utility clients. His practice is focused on energy and environmental issues.

Barclay Damon Receives NYSBA Pro Bono Award

Barclay Damon was named an Empire State Counsel Honoree by the New York State Bar Association for exemplary pro bono work performed in 2016. The award was presented to Barclay Damon Partner [Sheila A. Gaddis](#) at the Bar Association's Annual Justice for All Luncheon, held in New York City. Gaddis serves as the longstanding Diversity Partner of the firm.



Barclay Damon was selected for the award based on the number of the firm's attorneys who each performed 50 or more hours of pro bono service in 2016.

The 22 attorneys who achieved this high mark completed 1,788 hours of service in total. They are:

- Albany: Naresh K. Kannan, Caitlin J. Monjeau, Joseph A. Murphy, and Bella S. Satra
- Boston: Joseph L. Stanganelli
- Buffalo: Karim A. Abdulla, Lydia H. Beebe Safulko, Kimberly A. Colaiacovo, Jennifer G. Flannery, Claire H. Fortin, Eric T. Glynn, and Mengyi Xu
- Clarence: Corey A. Auerbach
- Elmira: Jeremy J. Hourihan
- Rochester: Gabriel L. Bouvet-Boisclair, Sanjeev Devabhakthuni, and Danielle E. Mettler-LaFei
- Syracuse: Kayla A. Arias, M. Eric Galvez, Ross M. Greenky, Sang Eun Lee, and Kathleen S. Weber

The free legal services Barclay Damon provides each year to those in need are valued in the range of \$600,000 to \$1 million.

APPEALS

Civil, Criminal, Administrative
Referrals Welcome
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Monette joins Menter, Rudin & Trivelpiece, P.C.



[Menter, Rudin & Trivelpiece, P.C.](#) is pleased to announce that [Ashley M. Monette](#) has joined the firm's Litigation practice group where she will focus on commercial litigation matters. Ms. Monette is a 2016 graduate of Syracuse University College of Law.

Khan & Smith Join Hancock Estabrook, LLP

We are pleased to announce that two attorneys, [Rimsha Khan](#) and [Matthew J. Smith](#), have joined [Hancock Estabrook, LLP](#). Ms. Khan and Mr. Smith are associates who are currently working in several different departments across the firm.

While in law school, Ms. Khan worked for the NYS Office of the Attorney General, Erie County Bar Association Volunteer Lawyer's Project and Buffalo Law School's Health Justice Clinic. She was also an Articles Editor for the *Buffalo Law Review*.



Mr. Smith served in the United States Navy prior to becoming an attorney and is a Founder and Past President of the University of Buffalo Veteran Law Student Association. Ms. Khan and Mr. Smith are admitted to practice in New York.

Robert J. Thorpe Joins Barclay Damon LLP

[Barclay Damon](#) announces [Robert J. Thorpe](#) has joined the law firm's Syracuse office as an associate in the Labor & Employment and Commercial Litigation Practice Areas. Mr. Thorpe represents private and public-sector employers in all aspects of state and federal law. He regularly counsels clients on discrimination and harassment issues, hiring and termination strategies, and wage and hour matters.



Maureen Maney Joins Mackenzie Hughes Litigation



[Maureen E. Maney](#) has joined [Mackenzie Hughes LLP](#) as a partner. She concentrates her practice on the defense of corporations, individuals, health care providers, religious entities and not-for-profit organizations in a wide variety of civil litigation at both the trial and appellate levels in state and federal court.

Maureen is a past president of the [Women's Bar Association of the State of New York \(WBASNY\)](#). She is an adjunct professor at the Syracuse University College of Law and a frequent lecturer for state and local bar associations.



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Do you have a Newsmaker?

Send your legal news and press releases to Carrie Chantler at cchantler@onbar.org.

NEWSMAKERS NEWSMAKERS NEWSMAKERS

Erika Hauser Joins Barclay Damon's Albany Office

[Barclay Damon](#) announces [Erika D. Hauser](#) has joined the law firm's Albany office as an associate in the Tax and Public Finance Practice Areas.

Ms. Hauser represents clients in a range of types of transactions, including lending and borrowing arrangements, securities offerings, mergers, acquisitions, and restructurings. Her experience also includes advising clients in the renewable energy industry on tax issues related to project financings and renewable energy credits.



Underwood and Wu Join Hinman, Howard & Kattell

[Hinman, Howard & Kattell, LLP](#) pleased to announce that [Derek S. Underwood](#) has joined the firm as Special Counsel in the Syracuse, NY office effective January 17, 2017 and that [Carolina K. Wu](#) has joined the firm as an Associate Attorney in the Binghamton, NY office effective January 3, 2017.



Mr. Underwood brings with him 20 years of experience spanning estate planning, business law, real estate, intellectual property and technology law.

Ms. Wu is a member of HHK's Real Estate and Business Law Practice Groups. Prior to joining the firm, Ms. Wu practiced law as a legal counsel for a startup company in San Francisco, CA where she is admitted to practice law.



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Contact: First Lieutenant Turner at (315) 474-0606 or Kristopher.Turner@marines.usmc.mil.

Do you have a Newsmaker?

Send your legal news and press releases to Carrie Chantler at cchantler@onbar.org.

DID YOU KNOW ...

The CLE Committee is an essential resource for the local law community. This important OCBA panel reviews, approves and generates continuing legal education seminars in a wide variety of legal topics. If you are interested in becoming a member of the committee, contact

Carrie Chantler at 579-2578
or email cchantler@onbar.org

NEWSMAKERS NEWSMAKERS NEWSMAKERS

OCBA Congratulates Newly Admitted Attorneys in the 5th Judicial District

The New York State Supreme Court Appellate Division, Fourth Department held its Admission Ceremony in Rochester on January 11. Upon such an achievement, OCBA extends its heartiest congratulations to these new lawyers. The following represent those newly admitted attorneys in the 5th Judicial District:

Melissa S. Almeyda
Michael Carter Boisvert
Kathleen Nichole Boumans
John F. Boyd, II
Michael Justin Bryant
Anna Maria Castillo
Hojin Choi
Robert Anthony Clark, Jr.
Robert James Connor, Jr.
Amy Groth Doan
Ariana Nicole Doty
Brittney May Drescher-Bradke
Kellie Nicole Foster
Lacey Anne Gehm
Daniel Scott Greene
Paul Joseph Gulamerian
Arnold Jaemin Hong
Judson Nathaniel Knappen
Andrew Joseph Lamirande

Patrick Anthony Langan
Linda Bylica Lark
Meghan Elizabeth O'Connor Liptak
Ashley Marie Monette
Garin James Murphy
Allan Spence O'Brien
Maria E. Raus
Nathaniel Vincent Riley
Shannon Marie Robin
Cassandra Lynne Santoro
Sarah Katherine Spencer
Christine Ann Sullivan
Kyle Raymond Sutliff
Jonathan Michael Symer
Jennifer Rita Van Reenen
Jeffrey Thomas Wolber
Martin Phillip Wolfson
Garrison Alan Wood
John Schuyler Zollo



Notice to the Onondaga County Bar Association

In light of the operational needs of the courts, the Hon. James C. Tormey has designated the Hon. James P. Murphy and the Hon. Anthony J. Paris as additional Justices handling commercial cases in Onondaga County Supreme Court. Commercial cases in Onondaga County will be distributed among Justices Deborah H. Karalunas, Donald A. Greenwood, Anthony J. Paris and James P. Murphy. The new Justices will follow the Commercial Division Rules and establish a Preliminary Conference Stipulation and Order for their Commercial Division cases.

BAR BOARDS:

FAMILY SEEKS LAST WILL AND TESTAMENT

Family members need help in finding the last will and testament for Richard Hunter Riblet, age 58. He died on March 12, 2016 in Auburn, NY and was an employee of the NYS Dept. of Transportation - Camillus at the time of his death. Are you the attorney who helped him draft a will in early 2016? If so, please contact his sister Linda Pientka at (315) 638-2294 or (315) 396-6098. Any information would be greatly appreciated.

OPENING FOR ATTORNEY AT MELVIN & MELVIN, PLLC

Mid-size Syracuse law firm seeks to hire a self-starting, energetic attorney with 2-5 years' experience for its commercial law and transactional practices. The successful candidate will have excellent verbal, interpersonal, and research and writing skills. Must be licensed to practice in New York. Please forward resume to hiringpartner@melvinlaw.com.

OPENING FOR MATRIMONIAL ATTORNEY AT MELVIN & MELVIN, PLLC

Mid-size Syracuse law firm seeks to hire a self-starting, energetic attorney with 2-5 years' experience for its matrimonial practice. Please forward resume to hiringpartner@melvinlaw.com.

HELP FAMILY MEMBERS FIND A WILL/LAST TESTAMENT

The family of Kathleen D. Jeski is looking for the attorney who may have helped their sister draft a will. Ms. Jeski resided in Onondaga County at the time of her death on February 5, 2017. Her address was 216 Campbell Road Syracuse. If you have any information the family would appreciate hearing from you. Please contact Amy Walker at (315) 292-8412.

LARGE DOWNTOWN OFFICE SPACE AVAILABLE NEAR JAMES ST.

1040-1880 sq. ft. of class B office space available off James St. close to downtown. Gross lease with all expenses covered. Perfect space for small firm looking for executive look & feel. Cherry wainscoting & ceiling beams. Call Charles Morton (315) 882-1271 or email cmorton@pyramidbrokerage.com.

In Memoriam ...

February 8
Mary Jane Harrington

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 cchantler@onbar.org. Editor Emeritus: John A. Cirando, Esq.
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Lisabeth Jorgensen, Esq.	James M. Williams, Esq.
Michele Maciejewski	Carrie Chantler- Managing Editor
Nicole Scialabba, Esq.	cchantler@onbar.org
Jeffrey A. Unaitis	



Office of the President



Take Action to OPPOSE proposed fee increase!

As President of the State Bar Association, I am writing to alert you to a development that could adversely affect every lawyer admitted to practice in New York – a proposal in the Governor’s proposed 2017-2018 state budget to increase the Biennial Attorney Registration Fee by \$50.



We oppose this fee and will work to oppose any fee increase that specifically targets lawyers. In fact, the morning after the Governor released his proposed state budget, President-Elect Sharon Stern Gerstman and I met with key legislators in both houses and urged them to reject this fee increase.

I am writing to enlist your help in opposing the proposed increase.

BACKGROUND

As you know, one of our long-term priorities is full government funding of indigent criminal defense services, to meet the state’s constitutional mandate under *Gideon v. Wainwright*. After the state settled the *Hurrell-Haring* lawsuit agreeing to provide additional funds to improve criminal defense services in five counties, the Legislature unanimously passed legislation in June 2016 to have the state take-over all funding in all counties. We urged Governor Cuomo to sign the bill.

Ultimately, Governor Cuomo vetoed the bill on December 31, 2016. Shortly after the veto, the Governor released his 2017-2018 budget proposal. In that proposal, he included some additional state funding for indigent defense services, to be used to bring the services up to a constitutional level statewide. The problem is that the Governor’s budget proposes to raise some of those additional funds by increasing the Biennial Attorney Registration Fee by \$50.

We strongly object to this proposed increase. Providing indigent criminal defense is a constitutional mandate. It is a state obligation and a societal responsibility, and it should be paid from the General Fund, not by a surcharge on lawyers.

ACTION

When the President-elect and I met with legislators and staff in Albany, we told them, consistent with our policy, that New York needs to fully fund indigent criminal defense services. But we also told them that we vehemently **OPPOSE** the Governor’s proposal to, in effect, tax lawyers to pay for the state’s constitutional obligation to maintain an effective indigent criminal defense system. I reiterated our opposition to the proposed fee increase in my testimony on the budget last week.

Please help us defeat this unfair proposal by sending a message opposing the Biennial Attorney Registration Fee increase to your elected state representatives by using the “TAKE ACTION” link below.

Sincerely,

Claire P. Gutekunst

Claire P. Gutekunst
President, New York State Bar Association

Reprinted from NYSBA Listserve

Of Branding & Brandy: Wine and Spirit Trademarks 101

Join **Daniel B. Moar, Esq. of Goldberg Segalla** for a CLE to overview winery and distillery trademark issues. Learn what makes a strong trademark, what trademarks are successfully used by wineries and distilleries, and litigation over alcohol related trademarks.

Uncork the Science of Red Wine presentation will immediately follow. Cornell University Food Scientist Dr. Lindsay Springer will discuss pigments, why aging matters and red wine sensory qualities such as aromas, mouthfeel and flavor! **Then stay for a wine & spirits reception!**

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- INTERVIEW: 2016 NYS MOCK TRIAL CHAMP COACH
- MEMORIAL OBSERVANCE 2017 RECAP
- ONVLP'S NEW STAFF AND CLES FOR CLINICS
- NEWSMAKERS, NEW ADMITS AND MORE...

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