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OnVLP Pro Bono Coordinator Herve Comeau Discusses Local Immigration Issues

By: Carrie Chantler, Managing Editor

he stress of fleeing one's homeland and immigrating to the United States is firsthand knowledge for Herve Comeau.

Recently hired to coordinate the Immigration Pro Bono program at the Volunteer Lawyers Project of Onondaga County, Comeau was a guest speaker March 9 at the Paralegals Committee Monthly Luncheon at the OCBA offices.

The casual atmosphere provided a unique setting for Comeau to share the story of how he and his family, in 1991, fled Haiti "in the dark of night" in the years following



Herve Comeau speaking at a Paralegals Luncheon on March 9th.

UPCOMING EVENTS:	
CLE Splitting the (Tax) Baby	4/11
CLE Of Branding & Brandy	4/19
CLE Child Welfare Law Update	4/20
CLE Homelessness Clinic Training	4/26
CLE Animal Abuse Court	4/27
Law Day	5/2
CLE Human Trafficking	5/11

the coup that ousted former Haitian president Jean-Claude "Baby Doc" Duvalier.

In those years, Comeau said, Haitians sought economic asylum and traveled to American shores via makeshift rafts.

Comeau and his family gained citizenship due to his grandfather arriving in the U.S. years before his children and grandchildren. As a child, Comeau lived in Miami and Tallahassee. He went



to high school then college and in 2013 graduated from Cornell Law School. While he awaits admittance to the bar, he is pursuing a master's degree from the Syracuse University Creative Writing Program.

As an immigrant, Comeau spoke with a calm passion about the issue to which he is so close.

"Everything we thought we knew about immigration has changed," Comeau said.

He, along with fellow OnVLP attorneys and other local legal aid societies, met new immigrants at the Northside Community Center earlier this year. There, the lawyers tried to assuage the worry of those assembled.

(continued on page 3)

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

hope to see you all at OCBA's Annual Meeting on Thursday, April 6 from noon to 1:00 pm at the Legislative Chambers, Onondaga County Courthouse. At the Annual Meeting, we elect our incoming OCBA Board Members and officers. If you are not able to attend, please send in your proxy ballot by March 31st to the Onondaga County Bar Association, 431 E. Fayette St., Third Floor, Syracuse, NY 13202, or by Fax at (315) 471-0705 or via email to pwalker@onbar.org.



Installation of our new Board Members and officers will take place at our Law Day Breakfast on Tuesday, May 2 from 7:30 to 9:15 am at the OnCenter. Watch your email for more details about this year's Law Day festivities and for registration and sponsorship opportunities.

Please join me and all of us at the OCBA in saying thank you and farewell to OCBA Board Member and Onondaga County Assistant District Attorney Romana Lavalas who has relocated to Arlington, Virginia to become a Senior Attorney at the National District Attorneys Association. Romana has been a very active member of several OCBA committees over the years and she will be sorely missed. As happy as we are for her as she takes on this new opportunity, the loss to our community is significant. Best wishes Romana.

Please take a minute to check out OCBA's Events and Programs page at <u>http://www.onbar.org/events-programs/</u>. The range of upcoming CLEs offered by OCBA continues to astound and is a testament to the hard work of OCBA Committees and Volunteers overseen by OCBA's Marketing and Communications Director Carrie Chantler. OCBA's CLE Committee is always interested in your ideas for programs, please contact Carrie at <u>cchantler@onbar.org</u>.

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(continued from page 3) Tackling Immigration Issues Close to Home

"It was mostly just women and children who are terrified. They are worried about their loved ones overseas," he said. "When they go into hiding it's about not really having another choice."

Despite federal judges blocking two presidential executive orders, which would impose strict travel bans on entry into the U.S. by citizens from primarily Muslim countries, immigrants remain apprehensive, he said.

Comeau acknowledged an attendee's question about the rise in terrorism abroad and the safety concerns some U.S. citizens feel stateside.

"Zero refugees have murdered people in state terror," he said. "Refugees are not committing that crime. These people are fleeing that same kind of terror in other places."

Syracuse boasts a refugee population of roughly 10,000. Many of those people came to the U.S. to escape their cities and homes torn apart by oppression and war.

"We're trying to help as much as we can," Comeau said.

But these lawyers are challenged by a dearth of available translators and the money to pay

for them. And finding lawyers who can represent detained individuals at removal hearings, or people who could drive immigrants to these proceedings, has been difficult.

These logistics failures are compounded by a difficulty in conveying to immigrants how safe they are in Syracuse and that legal aid lawyers are a source of free assistance.

Emergency Preparedness for Families Affected by the Executive Orders on Immigration

<u>Free CLE</u> Program and Webcast for NYSBA Members and Co-Sponsoring Organizations

Offered in-person or via webinar

Program Topic: Overview of Drastic Immigration Changes That Impact Families Increased Need for Legal Representation in the Face of These Changes

Wednesday, April 12thfrom 3 - 5 p.m. New York Bar Center, 1 Elk St., Great Hall, Albany, NY 2.0 MCLE (Professional Practice)

To Register: www.nysba.org/EmergencyPreparedness2017

Want to help? Here's a list of contacts:

Volunteer Lawyers Project of Onondaga County Herve Comeau (315) 579-0178

Upstate New York Immigation Law Project, Hiscock Legal Aid Society

Divya Hoffmann, Esq. (315-218-0180 Pat Tracy, Esq. (315) 218-0159 Leah Witmer, Esq. (315) 218-0185 Gregory Dewan, Esq. (315) 218-0176

Legal Services of Central New York

Reta Raymond, Esq. (315) 703-6561 Shelly Tsai, Esq. (315) 703-6500

CNY Immigration Coalition

Farmworker's Rights – Sarah Reckess, sreckess@nycourts.gov Healthcare – Shelly Skellington, sskellington@cir.care Housing – Trista O'Hara, tohara@lscny.org Refugee Support Services – Sally Curran, scurran@onvlp.org Education – Suzette Melendez, smmelend@law.syr.edu

> "There's an inability of people on the margins to call the police for help when they are attacked or assaulted," Comeau said. "People feel a sense of uncertainty and distrust about who they can call when they need help."

> While Mayor Stephanie Minor maintains that Syracuse is a sanctuary city and has joined her message with other U.S. mayors that law enforcement will not ask for country of origin or detain immigrants, the language of what being a sanctuary city actually means remains unclear.

"The NYCLU is working on it," said Comeau.

As those discussions about civil liberties take place, Comeau said he understood U.S. Immigration and Customs Enforcement agents near the Canadian border have boarded buses asking to see passenger identification.

"(But) ICE is generally not active this far south," he said.

Comeau concluded his thoughts by recommending a shift in how American leaders think about immigration policies.

"We need to change the paradigm. We need to think a lot more about procedures that push people out of places."

Romana Lavalas: OCBA Volunteer Extraordinaire



By: Carrie Chantler

Tith a smile in her voice Romana Lavalas spoke recently about how she began volunteering with the bar association.

The Onondaga County Assistant District Attorney was aware of the OCBA, she said, and recognized it offered Continuing Legal Education seminars and was a hub for professional networking, but didn't jump aboard. She was otherwise focused on her new work environment.

"I didn't immediately see the value," she admitted. "But, I've seen it become more diverse, not just multi-culturally, but more diverse in its attorney members and offerings.

"We've been reaching out more and more and lawyers see that and want to be a part of that."

There was another reason Lavalas may have delayed joining the 1,200-plus member organization.

"I'm a bit shy," she said, "you may be surprised to learn."

That revelation does shock considering it comes from someone who, throughout the years, has served on five committees, is a Criminal Law Section member, and sits on the OCBA Board of Directors.

By initially joining small groups and interacting with members on event-specific committees, Lavalas became

comfortable and found the OCBA offered opportunities to engage with her profession and its practitioners.

"Things tended to grow from there," she said. "There were some weeks I had to stop myself."

Lavalas is set to leave Syracuse, her home since graduating from the Syracuse University College of Law in 1999, to begin a new job in Arlington, Virginia with the National District Attorneys Association and its Traffic Law Center.

There, she will apply her legal know-how and insight toward NDAA's efforts to affect policy on Capitol Hill, and educate the nation's prosecutors and judges on topics such as federal law enforcement regulations regarding commercial motor vehicle law.

"I'm sad to leave, but excited to move on to this new experience," she said.

Lavalas calls her 17-year tenure with the district attorney's office "truly rewarding." And no doubt her new employer was impressed with her 10 years of service on the DWI Bureau and with her participation in Project Responsibility, the classroom experience for underage offenders and for adults who provide alcohol to minors.

"I wouldn't change a thing, it has taught me so much," she said. But, Lavalas also leaves a legacy of lessons.

Romana Lavalas: OCBA Volunteer Extraordinaire

Among her biggest prosecutorial challenges: The 2014 aggravated vehicular assault she won against an impaired driver.

Running for Syracuse City Court Judge, in 2011 and 2013, may have challenged her as a person, but it was the Jennifer DeFio case that posed the biggest test.

"During my run for judge, I was astounded to realize how many people do not vote," Lavalas said. "I also learned I was stronger than I realized."

On a June afternoon, Jennifer DeFio sped away from police, running multiple stoplights and topping 80 mph on North Salina Street before crashing her car into a pick-up truck and continuing forward striking a pedestrian. In total, five people, including the driver, were injured.

Lavalas was assigned the case. And the prosecution that followed wended through the courts, and along the way picked up disbelievers who questioned that a driver on prescription drugs and under a physician's care warranted similar charges as someone driving while intoxicated.

"The difficult part was getting the public to understand what impaired driving is," said Lavalas.

And despite an at-sentencing defense attorney entreaty of the driver's alleged seizure, DeFio received a sentence of five-to-15 years in state prison.

Lavalas is proud to have carried the state's burden of proof and to get the jury to understand what impaired driving means outside the context of driving under the influence of alcohol or illegal drugs.

"I'm relieved the jury saw it my way," she said. "I'm very proud of that."

Lavalas ends her work as a prosecutor in Syracuse as a member of the Law & Appeals Bureau, said Chief ADA James Maxwell.

Known for giving of her time, Lavalas would head to the office on her day off to welcome new hires and offer advice, Maxwell said, noting her work ethic and good attitude will be missed.



"This was nothing she was assigned to do," he said. "The volume of work sometimes gets you down, but she has a positive demeanor."

Lavalas would say that behind her drive to do right by her friends, colleagues and the people of the State of New York is the simple desire to help people.

"We're not islands," she said. "There are so many people who need help."

She also draws strength from her parents' good examples of community service and from her Westvale Seventh-day Adventist Church family. A devout parishioner, Lavalas prays daily for wisdom and freedom from fear "and to do the right thing."

"I have a strong relationship with God that has been my guiding compass," she said. "I connect with God and that's where my center comes from."

And those are the qualities of this extraordinary young lawyer who for several years shared her skill, good ideas, and personal warmth with and for the betterment of the local bar association.

She will be missed, indeed.

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I have had the wonderful opportunity to work with Romana, an individual who is not only a consummate professional, but also a truly compassionate human being. I am grateful to call this woman my coworker, and even more privileged to call her my friend. Her dedication to being an Assistant District Attorney for over 17 years showed every day. You could always count on Romana to be supportive, whether it was for a shoulder to cry on or a congratulatory hug. Our office has been very fortunate to have a coworker who is always willing to share her wisdom and experience with new employees, helping to guide them in the right direction. I will especially miss her "Good Morning" greetings and her heartfelt special renditions of "Happy Birthday" for her coworkers. Romana will truly be missed in the Onondaga County District Attorney's Office. **-Michele Robbins**

How We Pay for How We Play

By Anthony J. Gigliotti, Principal Counsel, Fifth Judicial District Attorney Grievance Committee, Appellate Division, Fourth Department

> y own navigation of holiday and other social events is informed by my awareness of the increasing number of disciplinary investigations arising from DWI arrests of lawyers.

Most lawyers have altered their socializing habits out of a healthy dose of respect for the law and the serious potential consequences of DWI related accidents. An additional price that lawyers pay, for too much alcohol play, are grievance investigations. Upon receipt of knowledge of misdemeanor DWI charges against any lawyer, Rule 8.3(a) imposes an obligation upon the attorney-prosecutor to report that information to the disciplinary authority empowered to act upon such violation.

Once notified of any criminal charge, the disciplinary office will open an investigative file and monitor the criminal prosecution. Whether there is a resulting conviction of DWI or DWAI a grievance investigation will be made into every aspect of the event. At issue is whether there has been a violation of Rules 8.4(b) or (h) which prohibit illegal conduct, or other conduct, that adversely reflects on the lawyer's fitness as a lawyer.

Upon any criminal conviction of a lawyer, Judiciary Law §90(4), mandates the lawyer to self-report directly to the Appellate Division. Recently added to the self-reporting obligation is §1240.12 of the new uniform Rules for Disciplinary Matters. As of October 1, 2016, lawyers are also required to report any criminal conviction by any court within the United States, within 30 days thereof, to the disciplinary committee having jurisdiction to investigate the lawyers' conduct. Such disclosures must include the submission of any judgment, order or certificate of conviction memorializing the finding of guilt. The investigating committee may also require production of transcripts or other materials necessary to further the investigation.

All Appellate Divisions now allow any lawyer subject to disciplinary action to apply for a stay of proceedings, if diagnosed and in therapy for alcohol or drug dependency, or for a mental disorder, deemed to be the cause of the offending conduct. If the Court approves a stay, pursuant to 22 NYCRR §1240.11, the lawyer must submit to monitoring by an authorized Lawyers Assistance Project which verifies the lawyer's continued participation in the recommended rehabilitation protrams.

2016 American Bar Association Study of Attorney Drinking Habits



1 IN 3 PRACTICING LAWYERS ARE PROBLEM DRINKERS

28% OF LAWYERS SUFFER FROM DEPRESSION



19% SHOW SYMPTOMS OF ANXIETY

Study funded by the ABA Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation.

The BAC constituting DWI has gone down, while the penalties have continually increased. Most lawyers are acutely aware of these changes. So what's a conscientious lawyer to do? Bar event planners help when offering a reasonable balance of food, alcoholic and non-alcoholic beverages. Increasingly "open bars," which add a financial incentive to overindulge, are giving way to "cash bars" at social events. Ultimately, lawyers must make their own judgments about alcohol consumption before driving. *Caveat emptor*.

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

OCBA Family Law Section Meeting Notice

Tuesday, April 25 at 12:15pm CNY Philanthropy Center, 3rd Floor Conference Room 431 E. Fayette St., Syracuse, NY 13202

Agenda topics will include:

- Update/progress after Fall 2016 mtg. w/ family court
- Discussion about scheduling further meetings
- Proposals for Family Law CLEs for 2017
- Discussion of ideas for new legislation

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Stressed Clients Make for Stressed Lawyers: What to do?

By Catherine Stuckart, Esq.

Major stress accompanies major lawsuits for clients and, often enough, their lawyers. The win-lose model of litigation is inherently a stress-maker and worrycreator. Reducing client stress can help to provide relief for their attorneys as well.

In my experience as an appellate practitioner over several decades, clients often seek interactions with their lawyers beyond simply legal services. Some clients want to unburden themselves to an authority figure, for example, or perceive the attorney as a parental figure. We have all had the clients who call every day and can become offended if their calls are not taken or promptly returned.

Lawyers must balance maintaining good attorneyclient relationships against the demands on their time and consequent stress. Attorneys may refer the clients who seem to need it to therapy. However, this may be inappropriate for clients simply trying to deal with lawsuit stresses, and even add to the emotional burdens these clients are carrying.

What alternatives to client-induced lawyer stress exist? What is appropriate for attorneys to suggest to their clients? Proper nutrition, sufficient sleep, daily exercise and use of social networks? These, I submit, extend far beyond the lawyer's role. Clients may be reluctant to implement suggestions. Confidentiality can be an issue. Clients may also be dependent on work-related social networks, and then be reluctant to discuss sensitive legal issues with people connected to their jobs or businesses.

One new way of dealing with client stress is to suggest life coaching. The dictionary definition of a life coach is "...an advisor who helps people make decisions, set and reach goals, or deal with problems." Life coaches typically accomplish this through the use of skilled questioning to help the client find answers, and, in a highly encouraging way, provide candid feedback and suggestions to the client.

The use of life coaches has increased greatly over the last 20 years, and is widely accepted. Coaches can attend to the client's reduction of stress, leaving attorneys free to attend to their client's legal case. This lessens stress on the lawyers.

Some years ago, I became interested in mentoring, a variant of life coaching, specifically for people involved with lawsuits. The Merriam-Webster dictionary defines a mentor as "A person who teaches or gives help or advice to a less experienced and often younger person." Wikipedia adds to this that: "The mentor... must have a certain area of expertise."

Mentoring Services can include:

- Broad education on litigation processes
- Support generally, and extra support through contact before and after stressful events such as depositions and trials
- Helping the client avoid unhealthy obsession with the lawsuit
- Helping clients accept the results of the lawsuit
- In-depth exploration of client's needs and resources
- Teaching clients the basics of Compassionate Communication, an internationally accepted method of needs solutions through talk
- Teaching clients personal development techniques which help them deal with stress
- Referral to appropriate resources, as needed.

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Stressed Clients Make for Stressed Lawyers: What to do?

How does the mentoring work in practice? Recently, I mentored a father through a custody proceeding. The child involved, a daughter, was only three. Having been awarded sole custody in a prior action, mother was being difficult about visitation. Father was devoted to his daughter, and had concerns about her treatment at mother's residence. He really suffered distress about each negative incident his daughter experienced, and lack of much time for visitation.

I bolstered both his confidence in his position as father and stable influence in his daughter's life, and in his attorney. I educated him on legal proceedings as well preventing misunderstanding about what his lawyer was doing for him.

When the hearing date finally arrived, I talked with him both before and after the hearing. He got substantially more time with his daughter, but mother reneged in court on part of the out-of-court settlement, and he

Next Paralegals Luncheon

Thursday, April 13th 12-1pm CNY Philanthropy Center

Feat. Lanessa Owens, OnVLP Topic: New Start Reentry Program

Email: JSwanger@GilbertiLaw.com



Professional Office Suite Now Available

4 Private Offices + Parking Downtown Syracuse Sutton Real Estate Co. 315-424-1111 was upset about that. I successfully encouraged him to realize he did have more time with his daughter. That encouragement completely turned his attitude from negative to positive about the results his attorney had achieved for him.

Questions and comments are welcome. Catherine Stuckart, Esq. may be contacted at 607-798-1074 or www. *lawyerfindcenter.com.*

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Real Estate Attorney (Syracuse)

LF Solutions, LLC, a wholly-owned subsidiary of Barclay Damon, LLP, a 275-attorney law firm, is seeking a full-time Staff Associate for its Syracuse office to work directly with partners and clients in sophisticated commercial real estate transactions involving the sale, acquisition, securitized financing, and leasing of shopping centers, office buildings and other commercial real estate. Duties include reviewing, preparing, and managing transaction documentation, assisting in reviewing, managing, and responding to diligence requests, coordinating closings, and analyzing and examining real estate titles.

Candidates must be licensed to practice in New York State or eligible to waive into the New York Bar; have 1-3 years' experience as an attorney in commercial real estate and financing transactions; be organized and detail-oriented; and possess excellent verbal and written communication skills. Consideration will be given to recently admitted attorneys who have nonlawyer business experience in commercial real estate, securitization, structured finance or related fields. Interested candidates should submit resume, cover letter, transcript and writing sample in confidence to:

Recruitment Coordinator Barclay Damon, LLP Barclay Damon Tower 125 East Jefferson Street Syracuse, NY 13202

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OnVLP Has Successful First-Ever Casino Night



Click the collage above or here to see the rest of the photo gallery.

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Aging is Natural... Abuse is Not: Getting to Know the Evergreen Network

By Sarah Reckess, Esq.

Ider abuse comes in many forms, from financial exploitation and caregiver neglect to physical and sexual assault. Fourteen percent of older adults over 60 have been the victims of elder abuse, and this number rises to 50% if a person has dementia. A recent prevalence study from New York State found that only 1 in 24 cases of elder abuse comes to the attention of authorities, yet we know that older adults lose billions of dollars annually to financial exploitation alone.

Attorneys often maintain close relationships with clients and may suspect elder abuse, yet find themselves lacking resources, knowledge, and assistance to protect their clients' assets and support their physical and emotional welfare. Ninety percent of elder abuse is perpetrated by family members. Clients may suffer at the hands of family members yet are reticent to press charges or evict them; attorneys can find themselves frustrated and stymied by clients who protect their abusers. These cases are challenging. What can be done?

Led by Vera House and Adult Protective Services, the Evergreen Network is a collaboration of local social service providers, law enforcement, medical professionals and financial institutions who work to address the issue of elder abuse in Onondaga County. Started in 2012, the Evergreen Network provides outreach, education, and training, as well as hosts a yearly Elder Abuse Conference directed at professionals who work with older adults. This year's conference coincides with World Elder Abuse Awareness Day and will be held Thursday, June 15th at the DoubleTree Hotel in East Syracuse. More information is available on the Vera House website at <u>www.verahouse.org</u>.

The Evergreen Network also hosts a monthly enhanced multidisciplinary team (E-MDT) meeting. Anyone may bring an active case of elder abuse which includes some form of financial exploitation to the confidential E-MDT to strategize on how to protect a client's best interests and utilize the expertise in the room. Sitting members of the E-MDT include Adult Protective Services, Onondaga County Sheriff's Department, Onondaga County District Attorney, Office of Mental Health, Office for Aging, and Vera House. Other specialists, such as forensic accountants or geriatricians, are brought in depending on the specific issues involved. If you have a case that may benefit from an E-MDT meeting, please contact Betsy Ferner at Vera House: (315) 425-0818.

To learn more about the Evergreen Network and how you can be involved, including ordering resource materials or scheduling an Elder Abuse presentation for your office, please follow this link to the website: <u>http://www.verahouse.org/programs-and-services/</u> <u>evergreen-network</u>



Aging is natural... Abuse is not

Sarah Reckess, Esq., is the Director at the Center for Court Innovation's Syracuse office. She received a B.A. from Mount Holyoke College and a J.D. from Syracuse University College of Law. Connect with Sarah on LinkedIn.

In Memoriam ...

March 2 Edward S. Green

March 7 Anthony Fazio Herbert N. Wallace

March 25 Kristie M. Carter-Knapp

ANTICIPATE THE FUTURE – PART 3 4 Ways Legal Processes Are Impacted By Technological Innovation

By: Brani Andreev

echnology offers huge opportunities for law firms to innovate in ways that benefit both them and their clients. It is no surprise that many lawyers believe innovation is critical to exploit opportunities and to differentiate their practice in a competitive legal environment. Nowadays, technology gives clients the expectation of prompt, if not immediate, responsiveness. Tolerance for delayed communication is low, demand for increasing levels of transparency from attorneys is high, the expectation for accessibility to information and to the attorney is a given. All these technological challenges increase competition in the field but they also lead to increased efficiency of the legal practice as a whole and dedication to excellence in client service.

In an environment where the speed at which lawyers work has a direct effect on business outcomes, a growing number of legal functions are turning to automated contract management tools and sophisticated document review technologies. What are the main categories of technological innovation that impact law firms by their function on the process in the legal industry?

From document assembly and automation to Natural Language Processing, Artificial Intelligence and Virtual Assistance, new legal technologies offer exciting possibilities for how legal processes might evolve or be reinvented for the future. Here are the main categories of technological innovation that impact and shape law firms and transform the traditional status of the legal industry:



Advance Search and Extraction

These functions are based on machine learning capabilities that identify specific legal information, clauses, definitions and text blocks. This search and extract function can be used to hasten document retrieval and review in order to create a more efficient and cost-effective process of advance research and extraction from thousands of documents. At the same time this function allows law firms to quickly extract and summarize any provision from virtually any legal type of document.

For law firms, machine learning automation is about managing risk—what is the risk profile of only reviewing one in ten documents? Using automation, logic and decision trees to create document templates that pull out all of the relevant search terms, non-lawyers and businesses are able to produce initial draft documents and contracts that once fell to legal teams. Machine learning works best when there is a large amount of data available to be analyzed; where it is possible to find proxies and patterns in the law, and where past data is generalized to obtain new data.

Data Analytics

This function is fueled by increased computing power and more digital data. Law firms gain insight from the increased amount of digital data they hold about workflow, cases and clients. Data analytics allows for mass document search, e-discovery, data mining, predictive analytics and the use of virtual assistants. The importance of data analytics lies in its use of data to determine where the value is in the services that law firms provide to clients. It aims to identify the clients' needs, the legal risk assessment as well as workflow and case allocation.

Predictive analytics is also the practice of extracting information from existing data sets to determine patterns and predict future outcomes and trends. Technological systems try to predict court case outcomes based on multiple criteria, including the courthousevenue, the judge and case type. Such tools will definitely assist lawyers and help them decide if (continued from previous page)

ANTICIPATE THE FUTURE – PART 3

a case is worth taking to court at all. Such decisions will help law firms avoid unnecessary and substantial costs to their clients. Predictive analytics can also help identify language patterns of judges and leverage those insights to help lawyers anticipate what language and arguments might be most persuasive before particular judges.

Predictive analytic programs are already being applied to massive datasets to spot trends and generate insight around case behaviors. Such tools add to the increase of technological innovation aimed at helping law firms manage risk in their decision-making process. In the future predictive analytics may be built into business analytics software as a standard feature and may reduce the need for human experts in the field.

Automation and Assembly of Documents

Document Automation is fueled by advances in process automation technologies and it creates new ways to transform frequently used documents and forms into intelligent templates that enable fast production. Technological systems allow even nonlawyers to complete forms and produce reliable draft legal documents without expert legal knowledge. This automation of the assembly and production of documents saves time and money. It also reduces risk, enhances compliance and increases accuracy of the legal documents.

Today, automated document assembly today is rapidly improving and can be applied to create very complex documents with multiple levels of "if-then" clauses to accommodate different fact situations. Such technologies reduce greatly the amount of time a lawyer has to spend on an individual document project, enabling alternative billing systems that yield a higher margin for the law firm and potentially lower pricing to the client.

Assembly and Automation of Conversation

This function is fueled by advances in Natural Language Processing, machine learning, document assembly tools and voice recognition. It includes Chatbots, Robo-lawyers and Virtual Assistants. The conversational instant messaging interface is able to provide users with information and to generate real-time documents specific to a client's needs. The automation of conversation combines the processing principles of machine learning and natural language to process user information, to answer questions and to provide a constant point of access.

Chatbots envisioned by the technology industry combine artificial intelligence with voice recognition that relies on the way humans naturally speak. The goal is to create a situation where clients feel they are communicating with another human which reduces costs in customer service. It allows legal departments to re-engineer their legal support responsibilities, where lawyers can stop doing some of the more routine or low risk aspects of their work in order to focus on higher value legal support for their clients. The chatbot function may also reinvent how social organizations provide legal resources to the public. Virtual Assistants can also be engaged in spontaneous conversations, in administrative tasks and whenever there is a need to help organize workflows that can bring value to the law firm business model.

Technology by itself will not bring innovation to a law firm. A better understanding of business issues is needed in order to identify the points where technology and business come together. Legal businesses that use technology to deliver legal services focused on smarter, more flexible resourcing, will operate differently from the traditional law firm of the past. Technological innovation and collaboration will be an important factor for the success of law firms in future markets driven by borderless platforms and digital ecosystems.



<u>About the Author</u>: Brani Andreev is the owner of AssociatedServices, alegal 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.

Dr. Michael & Rissa Ratner



- If your clients remember The Upstate Foundation in their estate plans, they will...
 - be creating a lifesaving or life-changing legacy
 - and
 - be gifting resources that will stay right here in our community to assure healthier, happier and longer lives for their families, neighbors and friends.
- The Upstate Foundation manages more donor funds than any other charitable organization in the region and is willing to create new funds to meet the charitable interests of any donor.



For free and confidential information contact the Director of Legacy Giving, John Gleason CFRE,CAP®

315-464-4416 email: FDN@Upstate.edu UPSTATE FOUNDATION UpstateFoundation.org

NEWSMAKERS NEWSMAKERS NEWSMAKERS

Debra Sullivan Joins Menter, Rudin & Trivelpiece

Menter, Rudin & Trivelpiece, P.C. has expanded its practice to include a Real Property Valuation Group. Debra C. Sullivan recently joined the firm and focuses her practice in this area.

Mrs. Sullivan has more than 20 years of experience in

representing both property owners and taxing authorities in all aspects of real property tax assessment challenges including negotiations, administrative challenges before boards of assessment review, the prosecution and defense of Real Property Tax Law Article 7 proceedings, and eligibility for real property tax exemptions.

Jana K. McDonald Joins Bousquet Holstein PLLC



Bousquet Holstein PLLC is pleased to announce that Jana K. McDonald has joined the firm as Of Counsel in the Real Estate Practice Group.

Jana has represented commercial and industrial real estate developers before all

levels of governmental permitting boards and agencies as legal counsel in New Jersey and South Florida and has advised local government zoning, planning, and historic preservation boards as a planning professional in New York. She presently represents institutional, business, and individual landowners in a wide variety of real estate and business related matters in CNY. Prior to joining Bousquet Holstein, Jana was an attorney at the Lindenfeld Law Firm in Cazenovia. She also served as Director of Planning for the City of Utica,

Urban and Economic Development Department

Sophie Bergman Joins Hinman, Howard & Kattell

Hinman, Howard & Kattell, LLP is pleased to announce that Sophie A. Bergman has joined the firm as Special Counsel in the Binghamton, NY office effective Feb. 21, 2017. Ms. Bergman is a member of Hinman, Howard & Kattell's Domestic Relations, Matrimonial and Family Law, and Criminal Law Practice Groups. She represents clients in a variety of divorce and family matters in both Supreme and Family Courts. In addition, she handles felony and misdemeanor



criminal cases in Broome County Court as well as local courts throughout the county.

Prior to joining Hinman, Howard & Kattell, Ms. Bergman was employed as an Assistant District Attorney for almost ten years, most recently serving in the Broome County District Attorney's Office as the Bureau Chief of the Special Victims Bureau where she handled and supervised all felony cases of domestic violence and sexual assault in Broome County.

Send Newsmakers to cchantler@onbar.org



BAR BOARDS:

ELDER & ESTATE PLANNING LAW FIRM SEEKS ATTORNEY

Fast-growing Elder and Estate Planning law firm, with offices in Syracuse and Watertown, seeks attorney with 1-5 years experience with estate planning and probate. Experience with Trusts and Medicaid qualification helpful, but not required. Ideal candidate will have a portable book of business and the ability to generate new business. Send resume to <u>mipug440@gmail.com</u>.

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 <u>cmorton@pyramidbrokerage.com</u>.

LASMNY SEEKS TWO STAFF ATTORNEYS FOR DISABILITY PROGRAM

Legal Aid Society of Mid-New York, Inc. (LASMNY) seeks a staff attorney to perform Disability Advocacy Program (DAP) services throughout the geographic area served by LASMNY as needed. The position will be in Syracuse office but some travel may be required. Send resume, writing sample, and three writing samples to Dan Altwarg at <u>dan.altwarg@lasmny.org</u>.

LOCAL ATTORNEY SEARCHING FOR LOST WILLS

Local attorney searching for last wills of Alice M. and Lloyd H. Stoker of Sherrill, NY. These were initially prepared by Robert Wilcox, Esq. (now deceased) of Wilcox & Wilcox, in Oneida, and were next retained by William Wilcox Esq. Attempts to contact William Wilcox have been unsuccessful. If you have any information, please contact Paula M. Highers at (315) 427-7603 or paula.m.highers@gmail.com.

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.

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.

FROM THE COURTS



UCS-23

EMPLOYMENT OPPORTUNITY <u>ANNOUNCEMENT</u> STATE OF NEW YORK UNIFIED COURT SYSTEM

PLEASE POST ANNOUNCEMENT NO. 5702

POSITION TITLE:	DEPUTY CHIEF CLERK II	JG : 21
LOCATION:	5 th JUDICIAL DISTRICT OSWEGO SUPREME & COUNTY COURTS	
BASE SALARY:	\$ 61,863	
CLASSIFICATION:	EXEMPT/CONFIDENTIAL	
QUALIFICATIONS: Bachelor's degree from an accredited college or university and two (2) years of work experience invo managerial responsibilities such as human resources administration, budget preparation, and revie documents for compliance with policies, rules, and procedures; or An equivalent combination of educ		

DISTINGUISHING FEATURES OF WORK:

and experience.

Deputy Chief Clerks are the second highest ranking nonjudicial employees in Supreme and County, City, Family, and Surrogate's Courts. Deputy Chief Clerks are responsible to Chief Clerks, Judge(s), regional court administrators, and the Office of Court Administration for managing all aspects of court operations and nonjudicial case processing activities. Deputy Chief Clerks serve in a confidential capacity and supervise subordinate personnel, allocate court resources, prepare annual budget requests, make employee selection decisions, and are responsible for the receipt, accounting and disbursement of fines, bail fees, and other public or custodial funds. Deputy Chief Clerk II also perform other related duties.

ASSIGNMENT:

This position will assume the duties of the Chief Clerk in the Clerk's absence. Duties and responsibilities include assisting with personnel management and supervision; budget management and control; management of case processing and statistical reporting operations; and a wide range of clerical and managerial duties. Travel may be required.

GENERAL INFORMATION:

The above statements are intended to describe the general nature and level of work being performed by persons assigned to this title. They do not include all job duties performed by employees in the title, and every position does not necessarily require these duties. Although a position is available and situated at a specific location, the appointee may be subject to reassignment to any position in the same title in this promotion unit dependent upon the needs of the Unified Court System. All applications received from this announcement may be used to fill any vacancies in this title that may occur in this court or agency within the next six (6) months. Position(s) available at the present time: $\underline{1}$.

APPLICATION PROCEDURES: All interested persons meeting the minimum qualifications are encouraged to submit a UCS-5 Application for Employment form (obtainable from any administrative office in a court building or on the web at www.nycourts.gov/careers/UCS5.pdf) and a resume and cover letter to:

MICHAEL A. KLEIN, ESQ. DISTRICT EXECUTIVE FIFTH JUDICIAL DISTRICT ADMINISTRATIVE OFFICE 600 SOUTH STATE STREET, ROOM 300 SYRACUSE, NEW YORK 13202

APPLICANTS ARE ENCOURAGED TO COMPLETE THE EEO DATA COLLECTION FORM.

POSTING DATE: March 6, 2017

APPLICATIONS MUST BE POSTMARKED OR RECEIVED BY: March 27, 2017

The New York State Unified Court System is an equal opportunity employer, and does not discriminate on the basis of race, color, religion, gender (including pregnancy and gender identity or expression), national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, parental status, military service, or other non-merit factor.

FREE online training on the NYSCEF System via Skype for Surrogate's Court Sponsored by New York State Courts E-Filing Resource Center

Learn how to E-File Surrogate Court Proceedings and documents on the following dates and times on your own computer right from your office.

> Wednesday April 5th 10:00 am Wednesday May 3th 10:00 am Wednesday June 7th at 10:00 am

PRE-REGISTRATION REQUIRED

To register, go to <u>www.nycourts.gov/efile</u> and click the Register for Training link and choose the date you wish to attend

E-FILING RESOURCE CENTER

www.nycourts.gov/efile

E-mail: EFile@nycourts.gov

Phone: 646-386-3033

Fax: 212-401-9146

OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

Splitting the (Tax) Baby

Presenter: Robert G. Nassau, Esq. Law Professor, Syracuse University College of Law

Reinforce your knowledge of how to apply current income tax rules relating to which parent can claim which child for which tax benefit and how the tax burden may be split by parents.

Topics covered include:

- Child-based benefits
- Qualifying child
- Transferability

2.0 MCLE (2.0 Professional Practice)

Tuesday, April 11 CNY Philanthropy Center, 2nd Floor Ballroom 431 East Fayette St., Syracuse NY 13202



Register at Onbar.org or by mail using form below 9:45 am – 10:00 am Registration 10:00 am - 12:00 pm Program

The Onondaga County Bar Association is committed to providing Mandatory Continuing Legal Education Programs at an affordable price to its members as well as the bar-at-large. Financial waiver forms are available upon request or may be downloaded when you visit www.onbar.org.

	Splitting the (Tax) Baby Tuesday, April 11, 2017 RSVP no la	ater than April 9, 2017		
	\$40 Member, \$60 Non-Member, \$20 Paralegal, FREE Lifetime/Agency/Student			
	(checks payable to OCBA)			
Attendee(s)	Phone			
Firm	Email			
Address				
D Charle E	Enclosed 🛛 Will bring Check to CLE 🗳 CC Card#	Exp.		

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 sucessfully 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!**

Earn 1.0 Skills MCLE

Wednesday, April 19th 4 - 5:30 p.m. CNY Philanthropy Center 2nd Floor Ballroom

www.onbar.org/events-programs

Come for the instruction, but stay for the wine!



OSWEGO COUNTY ACP/ONONDAGA COUNTY BAR ASSOCIATION CONTINUING LEGAL EDUCATION

Child Welfare Law Update: New Statutes on Child Placement Options and Caselaw Trends in Abuse, Neglect and Permanency Issues

Presented By: Margaret A. Burt, Esq.

Thursday, April 20, 2017 Alexandria's Conference Center | 21 E. 1st St., Oswego, NY Total MCLE 6.5 : 4.5 Professional Practice + 2.0 Skills

444

0.30 - 9.00	Registration & Continental Breakfast
9:00 - 10:30	Review of statutory law on placement of children w/ relatives; mandates and options of Article 6 Custody and Article 10 Custody
10:30 - 11:00	Break
11-00 - 12-30	Foster care placement options, Kin Gap, adoptions, designation of parental rights
12.00 - 1.00	Lunch provided
1:30-2:45	Recent case law on removals, child abuse and neglect
2:50 - 3:00	Dreak
3:00 - 4:30	Recent case law on permanency hearings, terminations of parental rights, surrenders, adoptions and miscellaneous

Under NYS rules this CLE has been APPROVED for both Newly Admitted and Experienced Attorneys

Child Welfare Law Update, Thursday, April 20th, 2017

\ddress	Billing Zip
Firm Phone	
Check Enclosed	
OCBA/Oswego Bar Member \$40 Non-Member \$60 Paralegal \$20	Make checks payable to:
Oswego ACP 18b Panelist FREE Lifetime/Agency/Student FREE	Onondaga County Bar Association

Phone: 315-579-2578 | Fax: 315-471-0705 | cchantier@onbar.org

OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

How to Help Those Experiencing Homelessness: A Guide for the Pro Bono Attorney

Presenters: Sally Curran, Esq.

Executive Director, OnVLP

Todd Long, Esq. Asst. Corporation Counsel, City of Syracuse

Laura D. Rolnick Pro Bono Coordinator, HAP Clinic, OnVLP



Have you ever wanted to help those you see in our city who are struggling to shelter themselves and their loved ones? Learn how you can apply your legal skills to assist Onondaga County citizens in need of a warm, safe home.

This FREE seminar is offered by the Volunteer Lawyers Project of Onondaga County and will introduce attorneys to its Homeless Advocacy and Prevention (HAP) Pro Bono Clinic.

Pizza lunch will be served!

1.0 MCLE (0.5 Ethics, 0.5 Skills)	R
Wednesday, April 26	1
George H. Lowe Center for Justice, 1st Floor Education Room	Ν
221 South Warren St., Syracuse NY 13202	

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Providing Equal Access to Justice to Those in Need

Register at Onbar.org or by mail using form below11:45 am – NoonRegistrationNoon - 1:00 pmProgram

Hel	Those Experiencing Homelessness	l Wednesday April	26 2017	RSVP no	later than April 2	1. 2017 FRFF
	Those Experiencing Homelessness	i i cui couu y / ipin	20, 202,		incer chair riphi za	4/ 201/ I IVE

Attendee(s)	Phone
Firm	Email
Address	

ONONDAGA COUNTY BAR ASSOCIATION | 431 East Fayette St. | Syracuse, NY | 13202 Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org



OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cstirpe@onbar.org

Animal Abuse Court: Advocacy Training & Process

MCLE 1.5 Skills

Thursday, April 27, 2017

CNY Philanthropy Center 2nd Floor Ballroom

12:00 – 2:00 pm.

FREE to those willing to participate as a Volunteer Advocate Member \$30 | Non-Member \$45 | Paralegal \$15 | Agency/Lifetime \$0

Open to Attorneys, Law Enforcement, and members of the Veterinary Community CLE credit FREE to those willing to volunteer for the Animal Advocacy Program.



PRESENTERS: Hon. Derrek Thomas, Syracuse City Court | Nicholas J. DeMartino, Esq., Green & Brenneck | Officer Rebecca Thompson, Syracuse PD | Chief ADA Alison Fineberg and ADA Anthony J. Johnston, Onondaga County District Attorneys Office | Nicole Heath, CNY Animal Abuse Task Force | Kerrin Conklin, Dir. CNY SPCA | Marcie Marshall, Veterinary Medical Center | Kerilyn Micale, Esq., VALAC

Oftentimes a severely abused animal remains confined in an animal shelter or hospital recovering from injuries while and until the criminal case, which it is the subject of, awaits resolution. During the pending criminal case, the defendant maintains "ownership" rights of the abused animal. To address this, OCBA and its partners, the Animal Abuse Task Force of CNY, the Onondaga County District Attorney's Office and the Syracuse City Court has created the volunteer "Animal Advocate" Program.

This program's objective establishes a focused, collaborative effort on the part of trained volunteer attorneys, the Courts, defense attorneys, law enforcement, and the DA's office on behalf of abused animals in Syracuse Animal Abuse Court and, when appropriate, seeks the termination of ownership rights from an abusive owner. VALAC also assists with fostering and adoption of the abused animal.

Under NYS rules this CLE has been APPROVED for both Newly Admitted and Experienced Attorneys

	Animal Abuse Cou		piping & Process	
		-		
Seminar Fee	Firm	Ema	il	
Address			Billing Zip	
(Payable to Onondo	aga County Bar Association)		Exp \$15 Lifetime/Agency/Student \$0	
Animal Abuse CLE FREE to those willing to participate as a Volunteer Advocate				
ONONDAGA COUNTY BAR ASSOCIATION 431 East Fayette St. Syracuse, NY 13202 Phone: 315-579-2578 Fax: 315-471-0705 cchantler@onbar.org				

HUMAN TRAFFICKING:

A CALL TO ACTION



Free CLE Program 3.0 MCLE

(2.0 Professional Practice, 1.0 Ethics)

Thursday, May 11th Noon – 3 p.m. Light Refreshments

Syracuse University College of Law Melanie Grey Ceremonial Courtroom Free Parking

Register Online I http://www.onbar.org/events-programs/

Panelists and Presenters

Hon. James Tormey, III 5th District Administrative Judge

Hon. Deborah Karalunas Supreme Court Justice

Hon. Julie Cecile Onondaga Co. Family Court Judge

SYRACUSE UNIVERSITY COLLEGE OF LAW

Hon. Toko Serita Acting Supreme Court Justice Hon. Andra Ackerman Cohoes City Court Judge

Hon. Theodore Limpert Syracuse City Court Judge

Nora Cronin, Esq. NYSOTDA

Sarah Reckess, Esq. Center for Court Innovations Jeremy Cali, Esq. Senior ADA, Onondaga Co.

Joanne Macri, Esq. NYS Office of Indigent Legal Services

Capt. Mark Lincoln NYS Police

James Spero U.S. Immigration Heather Fischer Love 146

CJ Boykin, Esq. Human Trafficking Prevention, DCJS

Colleen Merced McMahon/Ryan

Erin Yeager McMahon/Ryan

Panel Discussions: Human Trafficking PerspectivesSurvivorLaw EnforcementJudicial

Sponsors



CNY Human Trafficking Task Force National Women's Law Student Association-Syracuse Chapter

Central New York Womens's Bar Association • Mid-York Womens's Bar Association County Bar Associations: Onondaga, Oneida, Oswego, Herkimer, Jefferson, Lewis, Cortland, Madison