



# ONONDAGA COUNTY BAR ASSOCIATION BAR REPORTER



Photo: The Supreme Court of the United States Christmas Tree 2012

## UPCOMING EVENTS:

- CLE| Advanced Topics in Family Law: LGBTQ Parentage and Advocating for Clients Experiencing Poverty and Domestic Violence 01/11
- CLE| Mental Health and the Criminal Justice System: Working with Defendants with Mental Health Issues 01/12
- CLE| What Makes Lawyers Happy 2018 - Oswego, NY 01/18
- Bench and Bar Buffet 01/30

## OUR 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.



HOLIDAY RECEPTION PHOTOS  
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## FEATURED ARTICLES:

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# FROM THE PRESIDENT

This time of year is both exciting and exhausting. I have attended 15 Holiday Parties in 6 counties. In total, it is exhausting. Upon reflection, however, I really enjoyed them. At each, I have had the opportunity to share a bit of food, drink and laughter with old friends and colleagues, as well as with new acquaintances. It is a unique time when our legal community takes time to get together, celebrate and enjoy each other's company. Older lawyers are telling war stories to young lawyers. Others are relating embellished legal escapades from the past. Everyone is smiling and laughing. It seems a particularly appropriate way for all of us to end this year.

In between and on the way to all of these events and while shopping with my wife at several malls and various shops throughout this season, I have enjoyed watching the multitude of people out and about preparing for the Holidays. Parents and children laughing and goofing with each other. Friends of all ages meeting for coffee or a drink. Older friends having lunch together. A lady at the grocery store buying 3 turkeys, one for her and two for her church's food pantry. The high school girls sports team caroling at the Salvation Army red kettle at the mall. Several old, salty looking gentlemen at the diner exchanging gifts with the waitresses who put up with them all year. The bike repair and give-a-way guys who are at it again this year. Teenagers and college students actually smiling and laughing with their parents! Grandparents reveling in their grandkids. Drivers waiving people through ahead of them.

In short, I love the excitement, caring and hope that this time of year brings to our community. Whether it is the respective religious holidays being celebrated or the promise of the New Year, our community and neighborhoods are better for it.

Edgar Albert Guest (August 20, 1881– August 5, 1959) was a popular and prolific American poet who became known as the People's Poet. He captured this sentiment in his poem "At Christmas," a part of which follows:

*"A man is at his finest  
towards the finish of the year;  
He is almost what he should be  
when the Christmas season is here;  
Then he's thinking more of others  
than he's thought the months before,  
And the laughter of his children  
is a joy worth toiling for.  
He is less a selfish creature than  
at any other time;  
When the Christmas spirit rules him  
he comes close to the sublime....  
Man is ever in a struggle  
and he's oft misunderstood;  
There are days the worst that's in him  
is the master of the good,  
But at Christmas kindness rules him  
and he puts himself aside  
And his petty hates are vanquished  
and his heart is opened wide.  
Oh, I don't know how to say it,  
but somehow it seems to me  
That at Christmas man is almost  
what God sent him here to be."*



Please find a peaceful moment this Season to re-set and enjoy your family, friends and neighbors. Wishing you all the best, Happy Holidays!

President, James P. Murphy

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# Season's Greetings!



The OCBA staff wishes you a wonderful holiday season and a Happy New Year!



# Ho! Ho! Ho!



Santa makes everyone happy at this year's Family Treatment Court Holiday Party!  
Pictured: Hon. Michael L. Hanuszczak, Santa Claus, Terri Gooley.





## VALAC Donates to Second Chance Canine Adoption Shelter

There is room for both man and beast in the hearts of VALAC volunteers.

Members of the Volunteer Advocate Lawyer Animal Abuse Court are attorneys who represent a variety of practice areas, but the one they have in common revolves around man's best friends.

And like their clients, these lawyers are devoted and true and this year have saved 9 dogs and 11 cats from negligent, abusive owners and hellish homes.

Founded in 2016 by criminal defense attorney and former prosecutor Nicholas DeMartino, VALAC continues to put pets first and is a frequent first line of defense against

abandonment or being euthanized.

The role of a VALAC is to be an animal law guardian who's responsible for monitoring the legal status of an abused animal from the moment a Syracuse Police Officer issues an appearance ticket.

On a rotating schedule, VALAC attorneys are assigned to make an animal welfare check by visiting dogs that have been taken to one of two animal hospitals. They observe and report on its physical and emotional health. In some cases, VALAC's also pursue ownership termination as they communicate with the district attorney's office throughout the animal's legal journey.

The good word is out about VALAC and monetary donations from animal lovers flow into the bar association on a regular basis. This year's holiday food and treat drive saw Joyce Glass, a Nassau County resident and enthusiastic VALAC follower, ship two large boxes of dog food from her Long Island home.

The VALAC program is gaining traction and is becoming a model of similar programs across the state. In 2016, the American Red Cross named DeMartino a "Real Hero" for the creation of the program that strives to bring justice to those who truly have no voice.

Click [here](#) to follow VALAC on Facebook.

***"Merry Christmas to all the wonderful animals on this earth and God Bless you all for trying to help those who can't speak for themselves."***

*-Adele E. Durham, Liverpool, NY*



# Clarity for the Fee Dispute Resolution Program

By: Mark W. Wasmund

The Fee Dispute Resolution Program (22NYCRR §137.6(a)(1)) was established to provide an informal and expeditious process for the resolution of the fee disputes between attorneys and clients. The program as established is mandatory for all disputes regarding attorney's fees except those involving amounts less than \$1,000.00 or more than \$50,000.00; matters involving criminal representation; fees set by Court Order, statute or regulation and other categories. Recently the rules governing the Fee Dispute Resolution Program were amended.

Effective January 1, 2018 the arbitration procedure required under the Program (section 137.6) will not only apply where there is a dispute regarding attorney's fees, but will also be applicable "where the attorney seeks to commence an action against the client for attorney's fees." The purpose of this change is to clarify that unless expressly exempted under the rule, attorney's must provide clients notice of their right to arbitrate even where the client has not explicitly disputed the fee.

As a result of this change proper practice dictates that a client be provided Notice of Right to Arbitrate wherever a fee dispute exists or prior to commencement of a fee collection action.

The Onondaga County Bar Association is the Administrator of the Fee Dispute Program for the 5th Judicial District. The notice of "Right to Arbitrate" to provide to clients, as well as procedures for the Program can be found [here](#) or through the OCBA.



# Skill Building: Releford Ascends from Paralegal to Top Watchdog

By: Carrie Chantler

**R**anette Releford leveraged her experience and training as a paralegal to land a new role in the Syracuse community.

In June, Releford was named the administrator of Syracuse's police oversight agency, the Citizen Review Board. She runs the day-to-day operations of the 11-member panel of citizen-volunteers who investigate grievances brought by members of the public against the city's police department. Complaints that potentially violate local, state and/or federal law range from allegations of excessive force and constitutional violations to harassment and racial and gender bias, among others.

After review and deliberation, in hearings, the disciplinary recommendations the CRB makes may include officer retraining, counseling, written reprimands, suspensions, loss of paid vacation, or termination.

In 2016, the municipal body received 109 complaints and held 25 hearings resulting in 14 sustained findings against one or more officers. A sustained finding indicates the panel found substantial evidence of alleged misconduct.

"The CRB was created so citizens could have an avenue to express grievances and I envision it will continue to serve the public as best it can and hopefully decrease the number of complaints," said Releford. "So the community and the police relationship becomes better."

Making the switch from law firm to governmental agency requires Releford keep a flexible schedule. Now, she juggles regular monthly meetings of the entire board that are open to the public, and arranges five public outreach meetings in each Common Council district. Additionally, she creates a CRB presence at community events such as Juneteenth, CNY Pride Festival, and the Westcott Street Cultural Fair.

When working with the public, Releford accesses her knowledge of the Syracuse legal community and guides clients toward critically needed resources such as the services provided by Hiscock Legal Aid Society or the Volunteer Lawyers Project.

"I feel like I'm able to give back to and help the community."



Working full-time in the legal profession while also pursuing her paralegal education "clicked" for Releford. The chops that made her a topnotch paralegal professional continue to serve her in her new job such as investigative and file maintenance skills, plus exposure to a variety of law practice areas.

Being a member of the Paralegals Committee broadened her world of reference and helped her feel well rounded.

"By coming to the different luncheons we have, those give you a variety of different skill sets in different areas of the law and I've been able to then utilize those things," she said.

Releford pursued her paralegal education in 2011, when she was a member of the last graduating class of the University College Paralegal Studies Program at Syracuse University. Following stints focusing on Social Security Law at the Olinsky Law Group and in Bousquet Holstein's Litigation Department, she gained her master's degree in paralegal studies in 2015 from George Washington University.

A turn in the city's law department inched her closer to the CRB gig. She was already familiar with the agency from her days at Bousquet Holstein as it represented the agency in a lawsuit against the police department.

"As a paralegal at Bousquet, I helped with that litigation so that when I saw that the Citizen's Review Board was looking for an administrator I decided to apply. And lo and behold, I got the position," she said.

"When opportunities present themselves and you know your skills can go in different directions leap out there and take the jump."





# Longtime Paralegals Committee Leader Steps Down

By: Carrie Chantler

## Giving 100 percent is easy when you love what you do

Just ask Kathrine Cook. Since 2001, she's been a member of the Paralegals Committee and the last 16 years have flown by. "It's time to take a break," she said.

Cook is stepping down from the committee's leadership position due to health reasons.

"I would have continued volunteering for the bar," she said. "I am very sad that I am unable to continue."

On December 14th, the committee met for a final time before Cook's retirement becomes official. The group enjoyed a casual, laugh-filled lunch catered by Peppino's Restaurant complete with games and reflection on Cook's time leading the group. Committee members pictured above gather around the gifts donated to PEACE Inc. for a refugee family in need.

The committee's new leadership will be assumed by two co-chairs, Mackenzie Hughes paralegal Maria C. Cinti and Linda Lerch, an account executive with Vanguard Research & Title Services. Longtime committee member

Jean Swanger, of Barclay Damon, will also be available to assist.

One of OCBA's busiest committees, Cook made sure the paralegals convened a monthly luncheon at a variety of downtown eateries throughout the years. At each meeting, a guest speaker was invited to illuminate committee members on their area of expertise.

This year, guest speakers have included: OnVLP Executive Director Sally Fisher Curran, Syracuse City Court Judge Theodore Limpert, Syracuse Regional Airport Authority Chief Financial Officer Trent Amond, and Edward Leone, a medical malpractice private practitioner.

As the holiday party concluded, Cook took a moment to thank OCBA's Membership Director Peggy Walker, a 20-plus year employee, for her role in the committee's longstanding popularity.

"Peggy has been my lifesaver," said Cook. "Thank you for everything you've done."



# Sally Fisher Curran Wins A Kathy

She didn't see it coming, but Sally Fisher Curran recently received surprise recognition from her peers at the Gifford Foundation and the Allyn Family Foundation.

On November 1st, Curran joined colleagues and friends at the Marriott Syracuse Downtown to see who would be named the 2017 Kathy Goldfarb-Findling Leadership Award recipient.

**“We have heard from many people how much they wished Kathy had known Sally.”**

Little did she know the intended honoree was the Volunteer Lawyers Project executive director herself.

“The Kathy” is jointly bestowed by the two foundations to a nonprofit leader whose creativity and talent for collaboration propels them toward making positive changes for Onondaga County residents.

Curran and the award's namesake never met, but those who knew Goldfarb-Findling say the duo would have cottoned to one another.

“We have heard from many people how much they wished Kathy had known Sally,” said Heidi Holtz, Gifford

Foundation Director of Research and Projects.

The award is a salute to those who employ a nimble and creative leadership style, encourage life-long learning, and confidently take leaps of faith in the name of positive growth.

“Sally's nominator celebrated her community commitment, non-profit partnerships, embrace of new opportunities and belief in diversity, all qualities Kathy Goldfarb-Findling shared,” said Dirk Sonneborn, Gifford Foundation Executive Director.

While the foundations feted Curran for her accomplishments on behalf of VLP and her service on the boards of the OCBA and Central New York Women's Bar Association, as well as her committee work with the New York State Bar Association on its President's Committee on Access to Justice, and Committee on Legal Aid and Pro Bono Coordinators Network, the \$3,000 “Kathy” honorarium is meant to be spent on personal initiatives and not on professional pursuits.

Delighted to receive the award Curran was especially surprised to see her parents, who made a special trip



to Syracuse from Maine, welcomed at the ceremony. She says a “Belief in transformative change, the power of collaboration, and a positive strengths-focused attitude,” are the leadership concepts she keeps foremost in mind.

We asked Curran what’s ahead for VLP in 2018.

“There are so many things I’m excited about for the Volunteer Lawyers Project. We’re engaged in the Gifford Foundation’s ADVANS program, which will allow us to do a deep-dive analysis about our organizational capacity and help us grow. We will be significantly expanding our Eviction Defense work, having a full-time attorney focused on supporting the incredible work our volunteers do and engaging in significant efforts to prevent eviction before anything is filed in court. Our Immigration Program will be growing this coming year with an Americorps Legal Fellow, and I’m optimistic we will be able to implement an asylum pro bono panel. We’ve recently expanded our Homeless Advocacy Talk to a Lawyer Programs to Cayuga and Oswego Counties, and I’m hopeful we will be able to continue to expand the pro bono opportunities we’re providing throughout Central New York to additional lawyers and in doing so expand access to justice in the region. And we’re excited to continue to work on creating opportunities and pathways out of poverty through our community economic development work – both our low-income entrepreneur and our job readiness (re-entry) programs are going full speed and I’m hopeful we’ll be able to expand both in 2018. The community needs are huge, but the number of pro bono attorneys and law students engaging in pro bono grows every year, making more work possible.

We hope Onondaga County Bar Association members will consider including the Volunteer Lawyers Project in their year-end donation plans. We really do leverage the money given to provide service to so many.”



# What is a Kathy?

The Kathy Goldfarb-Findling Leadership Award “The Kathy” is short for the Kathy Goldfarb-Findling Leadership Award, jointly sponsored by the Gifford and Allyn Foundations. It is named for the Gifford Foundation’s late executive director who also served as the Allyn Foundation’s director of strategic services. It is awarded periodically to a CNY (Onondaga, Oswego, Madison and Cayuga counties) not-for-profit professional who best exemplifies Ms. Goldfarb-Findling’s approach to leadership:

**To be nimble and creative;  
To encourage lifelong learning;  
To embrace leaps of faith  
and not fear failure;  
To work “with,” not do “for”;  
To fully engage in collaborative  
approaches and;  
to at all times believe  
passionately in the power of  
change and personal growth.**

In addition to recognizing and publicly honoring vital nonprofit leaders who are truly unique, a monetary award will be available for the personal use of the recipient. The only restriction is that the honoree may not re-direct the cash to his or her organization. **To learn more about Ms. Kathy Goldfarb-Findling, please view this [short video](#).**

Information about the Kathy Goldfarb-Findling Leadership Award courtesy of The Gifford Foundation.



# Holiday Reception 2017

What fun! A record attendance, door prizes and a raffle, plus delicious hors d'oeuvres and libations made OCBA's Holiday Reception 2017.

Nearly 100 members and friends joined together November 30th in the lovely CNY Philanthropy Center ballroom to share a warm hello and to ring in the holiday season.

In honor of their respective retirements and prestigious legal careers, OCBA President James Murphy presented inscribed plaques to Onondaga County Surrogate Court Judge Ava S. Raphael as well as to the Hon. John J. Brunetti, formerly an Onondaga County Court of Claims Judge and Acting Supreme Court Justice.

The party lingered well past its two-hour time frame. This allowed more opportunity for an in-the-moment purchase of \$20 gift cards to be given to the 11-member Syrian Refugee family adopted this holiday season through PEACE, Inc.







## Wood & Smith P.C. and Cohen Compagni Beckman Appler & Knoll, PLLC (“CCBLaw”) merge as Cohen Compagni Beckman Appler & Knoll, PLLC.

Effective January 1, 2018, Syracuse based law firms Wood & Smith P.C. and Cohen Compagni Beckman Appler & Knoll, PLLC (“CCBLaw”) will merge under the name Cohen Compagni Beckman Appler & Knoll, PLLC. Both firms have physician-centered practices, providing business, transactional and regulatory counsel to physician groups, provider networks, ambulatory surgery centers, health care joint ventures, and ancillary service providers. The merger will also further strengthen CCBLaw’s existing business, finance, and commercial real estate practices. The firms’ integration will expand the number of CCBLaw attorneys to



13 and will provide Wood & Smith P.C.’s clients with access to CCBLaw’s existing areas of practice in commercial litigation, labor and employment, ERISA, employee benefits, and professional license defense. Beyond the scope of practice, the two firms share service philosophies, including a client-centric focus with an emphasis on attentiveness and immediacy during client interactions. The integration will further CCBLaw’s goal of continuing to be a preeminent boutique health law firm in New York State.

## VOLUNTEER LAWYERS PROJECT OF ONONDAGA COUNTY, INC.

*Providing Equal Access to Justice to Those in Need*

Suite 320 | 221 South Warren St.

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doshea@onvlp.org



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We APPEAL To You®



## Labor & Employment Attorney Whitney M. Kummerow Selected for 2018 Leadership Greater Syracuse Class



Hancock Estabrook, LLP is proud to announce that Whitney M. Kummerow has been selected for the Leadership Greater Syracuse (LGS) class of 2018. Ms. Kummerow is an associate resident in the Syracuse office. She counsels clients, entities and municipalities in the areas of labor and employment, education

and startup & emerging business law. Ms. Kummerow is a frequent lecturer on topics including transgender issues, The Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA) and employment liability. The participants selected for the LGS program represent a cross-section of local business, education and non-profit organizations. LGS teaches participants about community leadership, empowerment, group dynamics, community opportunities and trends. It was founded in 1990 as a partnership between the City of Syracuse, Onondaga County, Onondaga Community College and Centerstate CEO. As an independent non-profit organization, its mission is to inspire current and future leaders to make a difference in the community where we live and work. The first class of LGS graduated in 1991.

## Sekharan Joins Menter, Rudin & Trivelpiece, P.C.



Menter, Rudin & Trivelpiece, P.C. is pleased to announce that Raja N. Sekharan has joined the firm as an associate. Mr. Sekharan is a 1993 graduate of Valparaiso University School of Law. He thereafter went on to earn his Master of Laws in Taxation degree from the University of Alabama

School of Law. Mr. Sekharan is a member of the Firm's Business Restructuring, Bankruptcy and Creditors' Rights practice groups where he works with creditors, including real estate developers, in various aspects of both local and regional bankruptcy cases. Mr. Sekharan also works with the Municipal Law practice group as he has experience in this area of law.

## TERENCE A. LANGAN, P.C.

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Florida and New York Estate Administration

New York Commercial Real Estate

(315) 445-9761 [terry@langanlaw.us](mailto:terry@langanlaw.us)

**REFERRALS WELCOME**

## LYNN LAW FIRM, LLP

The Lynn Law Firm, LLP accepts referrals of civil appeals and dispositive motions. Over 30 years of appellate experience in all appellate courts throughout New York State.

Contact: Patricia A. Lynn-Ford, Esq.  
[pford@lynnlaw.com](mailto:pford@lynnlaw.com)



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Syracuse, NY 13202  
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**Do you have a Newsmaker?**

**Send your legal news and press releases to Carrie Chantler at [cchantler@onbar.org](mailto:cchantler@onbar.org).**

## BAR BOARDS:

### **FAMILY PRACTICE ATTORNEY SEEKS PARALEGAL/LEGAL SECRETARY**

Paralegal/Legal Secretary position available with a prominent Family Practice firm located in downtown Syracuse. Experience required. Must have excellent communication skills and ability to work in a fast-paced environment. Salary commensurate with experience. Forward letter of interest with salary requirements and resume to Box A, Onondaga County Bar Association, 431 E. Fayette St., Syracuse, NY 13202.

### **CHITTENANGO LAW OFFICE FOR SALE**

Law Office Building for Sale, 216 Genesee St., Chittenango, NY. Three offices, reception area, back room/storage area and a rented apartment upstairs. Currently configured with 2 offices and a conference room. Building is right beside municipal parking with easy access. Contact realtor Peter Denney, peterdenney@howardhanna.com or 315-247-1910.

### **OFFICE SPACE AVAILABLE**

Office immediately available in newly remodeled Liverpool Office Suite. Easy location, near the Thruway. Space includes: Office, internet, copier, receptionist, conference room. Please call 315-243-3282 or email equineesq@me.com for details and/or view space.

### **COSTELLO, COONEY & FEARON, PLLC SEEKS ATTORNEY**

Costello, Cooney & Fearon, PLLC seeks to add an attorney to its Franklin Square office to work in the areas of Trust, Estates, Administration and Elder Law. Applicants should have at least 5 years of experience in those areas, be comfortable with client contact on a daily basis and be prepared to make appearances in Surrogate's Courts. Please submit resumes to Alicia S. Calagiovanni, Costello, Cooney & Fearon, asc@ccf-law.com

### **ONVLP SEEKS THREE LEGAL PROFESSIONALS TO FILL OPEN POSITIONS**

The Volunteer Lawyers Project of Onondaga County announces it has three positions to fill.

1. Part-time Pro Bono Coordinator to coordinate a community-based Talk to Lawyers and Homeless Advocacy programs.
2. Part-time Tenants' Rights and Eviction Legal Assistant.
3. Paralegal, New Start Reentry Program – a six month temporary position.

Qualifications and salary specifications vary. [Click here to learn more.](#)



# 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.



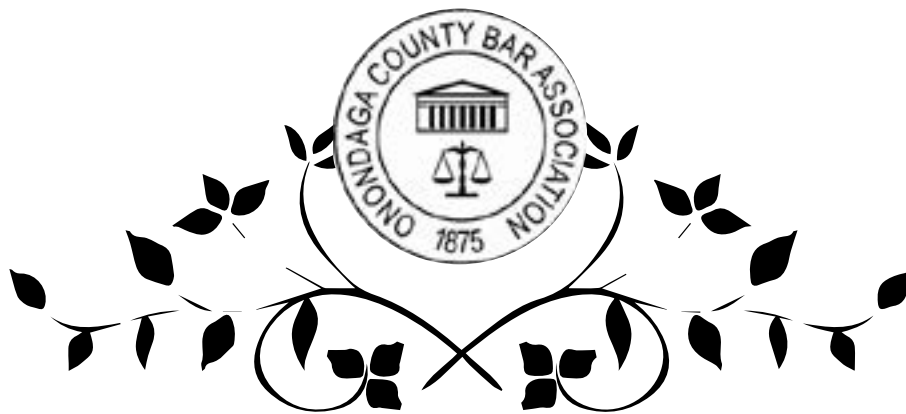
## For more information contact:

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



## *In Memoriam*

Please advise Peggy Walker at [pwalker@onbar.org](mailto:pwalker@onbar.org) if there are any other members of our profession whom we have lost in the year of 2017.

*Thank You*

# From the Courts



RECEIVED  
10/23/17

## NOTICE TO THE BAR

The Appellate Division, Fourth Department has scheduled the following terms of Court for 2018:

JANUARY TERM:	MONDAY, JANUARY 8, 2018 - FRIDAY, JANUARY 19, 2018
FEBRUARY/MARCH TERM:	TUESDAY, FEBRUARY 20, 2018 - FRIDAY, MARCH 2, 2018
APRIL TERM:	TUESDAY, APRIL 3, 2018 - FRIDAY, APRIL 13, 2018
MAY TERM:	MONDAY, MAY 14, 2018 - FRIDAY, MAY 25, 2018
*JUNE TERM:	MONDAY, JUNE 18, 2018 - WEDNESDAY, JUNE 20, 2018
SEPTEMBER TERM:	MONDAY, SEPTEMBER 10, 2018 - FRIDAY, SEPTEMBER 21, 2018
OCTOBER/NOVEMBER TERM:	MONDAY, OCTOBER 22, 2018 - FRIDAY, NOVEMBER 2, 2018
DECEMBER TERM:	MONDAY, DECEMBER 3, 2018 - FRIDAY, DECEMBER 14, 2018

\* submitted cases only



# From the Courts

*State of New York  
Unified Court System*



*Lawrence K. Marks  
Chief Administrative Judge*

*25 Beaver Street  
New York, N.Y. 10004  
(212) 428-2100*

December 13, 2017

To: Bar Associations, Legal Service Providers,  
Other Interested Organizations, and Attorneys

Re: New York State Courts Electronic Filing Program

Dear Counsel:

Pursuant to Section 212 of the Judiciary Law, the Chief Administrative Judge of the State of New York must submit to the Legislature, the Governor, and the Chief Judge an annual report evaluating the state's experience with electronic filing and containing recommendations for further legislation. In connection with the preparation of this report, which is due February 1, 2018, I write to invite comments about the implementation of the e-filing program.

I am also inviting comments on proposed legislative changes that we are considering for inclusion in the February report. The changes under consideration relate to the authority of the Chief Administrative Judge to expand mandatory e-filing. Under current law, the Chief Administrative Judge decides the courts and case types in which e-filing should proceed. Mandatory e-filing, however, is prohibited in certain civil case categories in Supreme Court, such as matrimonial, election, Article 78 and Mental Hygiene Law cases, and in many case types in New York City Civil Court. We are considering a proposal that would eliminate some of these restrictions.

If any of the current legislative exclusions from mandatory e-filing were eliminated, a mandatory program could be implemented by order of the Chief Administrative Judge issued only after consultation with the Bar, the legal services providers and other groups. Moreover, in Supreme Court, the consent of the County Clerk of an affected county outside New York City would be required.

This proposal would not affect other existing provisions in the e-filing legislation. For example, unrepresented persons would continue to be exempt from e-filing unless they affirmatively choose to participate in a particular case. Also, attorneys lacking the necessary

equipment or knowledge would continue to have the right to opt out of e-filing. Furthermore, the e-filing system would continue to provide for confidential treatment of cases such as matrimonial actions.

In order that we may have the time needed to prepare the report, please submit any comments by January 5, 2018. All comments received will be included in the 2018 report. Comments should be sent by e-mail or regular mail to either of the following addresses:

Jeffrey Carucci  
Statewide Coordinator for Electronic Filing  
NYS Unified Court System  
New York County Courthouse  
60 Centre Street, Room 119 M  
New York, New York 10007  
or  
[efilingcomments@nycourts.gov](mailto:efilingcomments@nycourts.gov)

We look forward to your comments on this program.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James H. Spad". The signature is written in black ink on a white background.





STATE OF NEW YORK  
UNIFIED COURT SYSTEM  
ONONDAGA SUPREME & COUNTY COURTS  
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CM - (315) 671-1030  
Criminal - (315) 671-1020  
Fax (315) 671-1191

James E. Makowiec  
Chief Clerk

December 15, 2017

Onondaga County Bar Association  
431 E. Fayette Street  
Syracuse, New York 13202

re: Request for Judicial Intervention Forms

Members of the Onondaga County Bar Association,

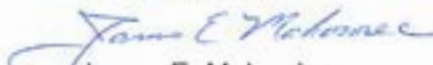
I would like to make a request of your membership that you help our office with processing cases you file. You can do that by accurately filling out the Request for Judicial Intervention (RJI) form and the appropriate addendum. This form was developed to assist our office in properly moving your case through the court as expeditiously as possible. It provides us with the information required to properly input the data into our case management database, gives us information about the case so it can be properly assigned, it tells us about related cases, and much more valuable information. The addendum for matrimonial actions is particularly important because it provides us with information we require to do records checks. This document follows the case from filing through and is used by the Justices, Judge's staff, Court Clerks, Court Reporters and other court staff. When you file the RJI you know the case very well, have managed the case sometimes for a period of time and have produced volumes of documents. We are asking is that you, through this form, provide us with an accurate brief summary of information we need to make sure there are no undue delays in processing your case. I can not stress how important it is to accurately complete the form and the proper addendum.

The Request for Judicial Intervention form and addenda for use in civil practice in the Supreme and County Courts are available in both plain and fillable document formats on the [nycourts.gov](http://nycourts.gov) website. The forms include the RJI itself (UCS-840), a general addendum (UCS-840A), and specialized addenda for Commercial Division (UCS-840C), foreclosure (UCS-840F), and matrimonial matters (UCS-840M). Additionally, there is an Uncontested Matrimonial RJI (UD-13), which is an abbreviated version of the form used exclusively in

uncontested divorce matters. Please note that fillable forms may have a slightly different appearance due to the use of form fields and controls (i.e., drop-down menus, radio buttons, etc.). However, there are no substantive differences in form content. Please find the forms on the court website [www.nycourts.gov](http://www.nycourts.gov) or use the following link: [www.nycourts.gov/forms/rji/index.shtml](http://www.nycourts.gov/forms/rji/index.shtml)

As always, we are here to assist you in anyway appropriate and any suggestions you have will be greatly appreciated.

Sincerely yours,

  
James E. Makowiec  
Chief Clerk



# OCBA CONTINUING LEGAL EDUCATION

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

## Advanced Topics in Family Law: LGBTQ Parentage and Advocating for Clients Experiencing Poverty and Domestic Violence

**Amy Schwartz-Wallace, Esq.**

Senior Attorney, Empire Justice Center - Rochester

**Kate Woods, Esq.**

Deputy Director, Legal Assistance of Western New York

Attend this CLE and capture the *new*

**Diversity, Inclusion & Elimination of Bias** MCLE credit!

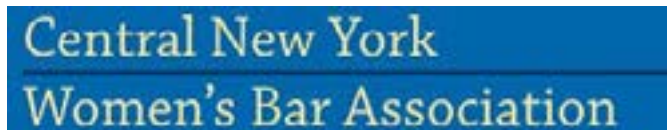
Gain insight into this ever-broadening practice area from two practitioners leading the charge on legal protections for same-sex parents.

Also covered: The basics of public benefits and dynamics of domestic violence.



### LUNCH WILL BE SERVED

This CLE is brought to you in partnership with the Central New York Women's Bar Association.



**3.0 MCLE** (1.0 Diversity, Inclusion & Elimination of Bias, 2.0 Prof. Practice)

Thursday, January 11, 2018

**Noon to 3 p.m.** (Doors open at 11:30 a.m.)

CNY Philanthropy Center, Ballroom

431 E. Fayette St., Syracuse NY 13202

Register at [Onbar.org](http://Onbar.org) **or** by mail using the form below

Advanced Topics in Family Law | Thursday, Jan. 11, 2018 | RSVP by Jan. 9<sup>th</sup>

Member \$60 | Paralegal \$30 | Non-Member \$90 |

**FREE for Lifetime/Agency/Student/CNYWBA Members**

*(Make checks payable to Onondaga County Bar Association)*

Attendee(s) \_\_\_\_\_ Phone \_\_\_\_\_

Firm \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ Billing Zip \_\_\_\_\_

Check Enclosed     Will bring Check to CLE     CC Card# \_\_\_\_\_ Exp. \_\_\_\_\_





# OCBA CONTINUING LEGAL EDUCATION

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## Mental Health and the Criminal Justice System: Working with Defendants with Mental Health Issues

### Donald Kamin, Ph.D.

Director, Institute for Police, Mental Health & Community Collaboration

### Sarah Reckess, Esq.

Director, Center for Court Innovation

#### Panelists:

Mathew Roosa, LCSW-R – Onondaga County Dept. of Adult & Long Term Care Services

Donald P. VanStry, Esq. – Senior Counsel, Tully Rinckey PLLC

Joseph T. Coolican, Esq. – ADA, Onondaga County District Attorney’s Office



**In this CLE** you’ll learn how to recognize and respond to mental illness in the courtroom and come away with a list of local resources of community services to help you and your clients. Plus hear from Onondaga County practitioners who will relay valuable techniques learned from years of personal experience in, and out, of the courthouse.

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Working with Defendants w/Mental Health Issues | Friday, Jan. 12, 2018 |

RSVP by Jan. 10<sup>th</sup> Member \$50 | Paralegal \$25 | Non-Member \$75 |

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Firm \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ Billing Zip \_\_\_\_\_

Check Enclosed     Will bring Check to CLE     CC Card# \_\_\_\_\_ Exp. \_\_\_\_\_