



ONONDAGA COUNTY BAR ASSOCIATION **BAR REPORTER**

FEATURED ARTICLES

The Bar Celebrates Those Reaching
50-Year Professional Milestone
PAGES 6-7

With Liberty and
Justice for All
PAGES 8-9

VALAC Mutt Strut!
PAGES 12-13

June 2019
Volume 64 Number 6



Onondaga County Bar Association
CNY Philanthropy Center
431 East Fayette Street, Suite 300
Syracuse, NY 13202
315-471-2667

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.



UPCOMING EVENTS:

Welcome to Syracuse Event - July 9th

Syracuse University College of Law
950 Irving Avenue, Syracuse

CLE | NY Civil Practice - 2019 - July 11th

SUNY Oswego Metro Center, Syracuse, NY

18th Annual Dan Mathews

Golf Outing - August 22nd

Pompey Country Club

Visit our [website](#) for more information.

SAVE THE DATE!

BRIDGE THE GAP

October 4th, 2019
AT LEAST 6.0 MCLE Credit Hours!

Topics include:
Real Estate, DWI, Ethics and Estate Planning
Especially for new attorneys! More information to follow!

Letter from the PRESIDENT



It is with a heavy heart that I write my first President's Column following the loss to our legal community of the Hon. James C. Tormey. Over the years, he has been a good friend to the bar association with his generosity in facilitating our mission within the courthouse and beyond. The legacy he leaves behind will forever change the relationship between the bench and the bar for years to come.

Community. The word is defined as "a group of people living in the same place or having a particular characteristic in common." However, while living in close proximity or having one or more shared characteristics can define a group of people, it takes something more to truly build a community. Shared ideals, shared goals and a collective sense of purpose create ties that draw people together and allow them to forge a true community.

As attorneys and paralegals in Onondaga County we all certainly share a defining characteristic – the practice of law. To that point, many times the collective of individual lawyers within the County is referred to as the "legal community." Certainly, dedication to clients and the pursuit of the fair and equitable distribution of justice allows us all to be defined as a community. But it is our decision to be something more – to be a Bar – that creates stronger ties and draws us together.

At the outset of my tenure as President of the Onondaga County Bar Association, I am truly honored and humbled to be a part of this fantastic organization. Over the past several years I have been introduced to amazing people and have had the opportunity to work with the great staff and others, without whom the Bar Association could not succeed. And, as I reflect on my involvement with the organization to date, I realize that it is not a stand-alone entity. The Bar Association is not the brick-and-mortar office located at the Philanthropy Center on Fayette Street. The Bar Association is not the Board of Directors that meets once a month. Nor is the Bar Association the Officers.

You are the Bar Association. The members of this organization make it what it is. Practicing law together gives us a shared characteristic. Being a part of the Bar Association makes us a community. Through our support of the Bar Association we each promote something more than a simple item on a resume. We provide counseling to lawyers in need. We serve attorneys and the community through programs such as the Lawyer Referral Service and Alternative Dispute Resolution. And we take time to celebrate our profession, and each other at events like the Annual Dinner and the 50 Year Luncheon.

Beyond those important services, as members we also support frequent CLE programs, social receptions and relevant informational presentations. All of which are important components of a successful, thriving legal community. All of which are made possible by and through the support of the membership community.

Over the coming year it is my intention to continue building on the strong foundation that has been laid by the past Presidents, Officers, Directors and members. Finding ways to remain - or perhaps to become - relevant to the respective practices of our members is paramount. Strengthening and enabling our community is the goal.

I look forward to serving the legal community and intend to continue the strong tradition of the Onondaga County Bar Association.

Aaron J. Ryder, President



President

Aaron J. Ryder

President-Elect

Paula Mallory Engel

Vice President

Danielle M. Fogel

Treasurer

Scott A. Lickstein

Secretary

L. Graeme Spicer

Immediate Past President

John T. McCann

Directors

John H. Callahan

Crystal M. Doody

Hon. Matthew J. Doran

M. Eric Galvez

Jenna W. Klucsik

Jeffrey G. Leibo

Martin A. Lynn

Jimmie C. McCurdy

Lauren M. Miller

Samantha L. Millier

Sarah C. Reckess

Ramon E. Rivera

Laura L. Spring

Robert J. Thorpe

Jennifer L. Wang

Ex-Officio

Dean Craig M. Boise

Jean Marie Westlake

Staff

Jeffrey A. Unaitis

Executive Director

Peggy Walker

Membership Coordinator

Carrie Chantler

Marketing & Communications Director

Maggie James

Administrative Professional

& Lawyer Referral Service Manager

Nicole Rossi

Graphic Designer & Marketing Assistant



In Loving Memory

Hon. James C. Tormey, III

The legal community suffered a significant loss in the passing of Hon. James C. Tormey, III this past June 22, 2019. Judge Tormey served 32 years on the bench, and as Administrative Judge - Fifth Judicial District since 2000 where he supervised some 300 judges. Some of his many accomplishments as Administrative Judge include: peer review and mentoring programs for judges; centralized arraignment parts in the Fifth Judicial District; pro bono and access to justice initiatives; and yearly educational conferences for judges. He also established Drug Courts; Opioid Courts; Human Trafficking Court; Youthful Offender Court and Community Court.

In the New York Law Journal, Chief Administrative Judge Lawrence Marks said, "Jim Tormey was a hardworking, highly effective administrative judge for many years.....his passing is a major loss for the state court system and for all those committed to the cause of justice." County Court Justice Hon. Stephen J. Dougherty said, "Judge Tormey supervised the implementation and was totally supportive of court innovations, from Drug Court to Domestic Violence Court to Adolescent Diversion Court to Human Trafficking Court. He considered 'problem solving courts' to be integral to address today's societal issues." Judge Tormey's good friend and Supreme Court Justice Hon. Gerald Neri said the Judge lived by two quotes - "Temper justice with mercy" and "Justice delayed is justice denied." Judge Neri went on to say Judge Tormey was the first to credit his fellow judges, employees and staff for the district's success. Hon. David S. Gideon worked with Judge Tormey as court attorney referee and special counsel for town and village courts in the Fifth Judicial District. Judge Gideon said, "The district and bar community lost a great jurist and wonderful human being. He was a great friend, mentor, colleague and boss." Hon. Anthony LaValle is the principal law clerk and special counsel for the Fifth Judicial District. He added, "I learned two things from Judge Tormey in my short tenure - life is about relationships and one should always take care of one's co-workers and staff. Judge Tormey was the best at both." All agreed that Judge Tormey always had their back.



Attorney Jim Reid knew Judge Tormey from their law school days at Syracuse University. He said, "Judge Tormey was always so upbeat, and everything to him was always the best. He had an unbelievable memory. He would meet you once and never forget you."

Judge Tormey was a fellow parishioner and lector at Most Holy Rosary Church and part of our 8:00 a.m. mass 'family'. Often before mass, he could be seen moving from pew to pew greeting the parishioners, and always referring to himself as 'Jim'. Above all, Judge Tormey was totally devoted to his family and friends. Simply put, he loved people and helping people. He will be missed.

Contributed by Mark Ventrone, Esq.

*"Tell all the judges and employees
I love them. I really appreciate them
and all the work they've done."*

Congratulations

OCBA Congratulates Newly Admitted Attorneys in the 5th Judicial District

The New York State Supreme Court Appellate Division, Fourth Department held its Admission Ceremony in Rochester on June 17, 2019. Upon this achievement, OCBA extends its heartiest congratulations to these new officers of the court. The following persons represent those newly admitted attorneys in the 5th Judicial District:

Joseph James Battisto, III
John Andrew Centra
Michael Ralph DeBaise
Sam Eli Faduski
Alexander L. Fischer
Stephanie L. Hanrahan
Erika H. Hooker
John Zafer Jeha
Joseph Alfred Kohm, III
JaeEon Lee
Joseph Carter Macri
Sheral K. Maloy
Daniel Jacob Ostrin
Daniel Thomas Pesciotta
Xiang Qi
Amanda Paige Raub
Stefanie Lynne Savory
Jenine Christine Seeber
Danielle Patricia Wilner
Nicolette Joscelyn Zulli

The Bar Celebrates Those Reaching 50-Year Professional Milestone

By: Jeff Unaitis

More than 100 guests celebrated six attorneys who reached the milestone of practicing law for 50 years at the Bar Foundation's 50-Year Luncheon on June 13 at Drumlins. The honorees were: Richard B. Alderman, Michael J. Balanoff, Thomas J. Kellish, Elizabeth C. McGinty, Andrew A. Mecca and Samuel M. Tamburo. Three members not in attendance were also recognized: Arthur A. Chalenski, Ronald A. Mittleman and Joseph C. Watt, Jr.

RICHARD B. ALDERMAN

Dick Alderman received his law degree from the University of Pennsylvania Law School, joined the United States Army Reserves and headed to Fort Dix for basic training in 1969. On Christmas leave that year he was sworn in to practice in New York State by Judge Frank Delvecchio.

He began his law practice with Alderman, Alderman, Samuels and Schepp, under the tutelage of his father, brother, and Bernie Samuels. Remembering the lessons taught them by their father, a founder in 1922 of what is now the Alderman and Alderman law firm, the practice focuses on Family and Matrimonial Law.

Dick wrote: "For me there is nothing better than representing clients who are dealing with serious personal issues such as custody of children, spousal or child support, or equitable distribution of marital property...I have no interest in retiring."

MICHAEL J. BALANOFF

Michael Balanoff attended Tufts University as a member of the Class of 1964. He remained there to graduate from the Boston College Law School where he was Editor of the Law Review.

Mike joined the U.S. Army in 1968 and, while in Vietnam, his military service was made illustrious as a Bronze Star Medal recipient – a distinction given to those soldiers who commit heroic or meritorious acts during active combat.

Upon his return to the states, Mike's primary areas of practice were commercial law, debtor and creditor rights, business acquisitions and bankruptcy. In 1972, he began with Grass & Balanoff where he practiced until 1996. From 1996 to 1998 he was with Costello, Cooney & Fearon, and from 1998 to 2014 was with Bousquet Holstein (formerly known as Green & Seifter).

From October 2014 to October 2017 he was Legal Services of Central New York's Director of Development and is currently the President and CEO of the Jewish Federation of Central New York and Executive Director of the Jewish Community Foundation of Central New York.

THOMAS J. KELLISH

Tom Kellish was born on a dairy farm in Pompey/Lafayette. He earned his B.S. from Cornell in 1963 where he also served in ROTC. Following a two-year tour of duty with the U.S. Army Medical Service Corps, he earned his J.D. in 1968 from the University of Tulsa, Oklahoma.

Tom returned to New York where he worked for the Kenyon & Ames law firm in Tully until opening his own law office in 1972, with a branch office in DeRuyter. He was admitted to practice before the U.S. District Courts for the Northern District of New York and Oklahoma.

"Life is good," Tom says and he acknowledges many friends, neighbors, family members and professional colleagues – both past and present – for their advice, camaraderie, and close working relationships over 50 years.

ANDREW A. MECCA

Andy Mecca was born and raised in Solvay, where he attended Solvay High School. He enlisted in the United States Air Force. In 1955, he was transferred to the 29th Air Division Strategic Air Command in Montana. In the Air Force, Andy became a boxing coach and entered the Golden Gloves State of Montana.

Andy was honorably discharged from the military in 1958 and, using the military bill, attended Syracuse University and the University of California Law School. After his admission to the New York State Bar, Andy joined the John Shaffer Law Office where he honed his trial skills. In 1969, he was elected Camillus Town Board Councilman, 4th Ward and served with Supervisor of the Town of Camillus, fellow honoree Sam Tamburo. Thereafter, he was elected Town Justice of Camillus and continued to serve in that capacity until 1990.

SAMUEL M. TAMBURO

Sam Tamburo is a native of Auburn who graduated from the Harpur College of Arts & Sciences at SUNY Binghamton and received his J.D. from the University at Buffalo School of Law.

Under the auspices of the noteworthy expertise of George W. Cregg, Sr., Sam entered into the practice of Municipal Law. He has considered it an honor to practice alongside Andrew Pappas, Martin and Beverly Michaels, William Regensberger, Richard Priest, Hugh C. Gregg III, and Gene and Jim Tarolli.

Sam was twice elected to the Town Board of Camillus in the 1970s and again in the 80s. He enjoys practicing law on an as-needed basis from his Cayuga County home.

ELIZABETH C. MCGINTY

Liz was born in Brooklyn and in 1963, graduated from Notre Dame of Maryland University, with a Bachelors in History and minors in English and Philosophy. She then attended St. John's University School of Law: of the five women who started with her in the class of 168 students, she was the only one who finished!

Liz passed the Bar in 1968 and was admitted to practice in the 2nd Department. Shortly after, she and husband Jim – honored at last year's 50-Year Luncheon -- moved to Syracuse and she spent the next 12 years as a "housewife." In 1983, she was hired by Davoli, McMahon & Kublick, doing real estate closings. After two months, she was thrown into litigation and became the first woman partner at that firm in 1989. The firm changed its name to McMahon, Kublick, McGinty & Smith in 1995, and Liz focused on litigation – first defense, then plaintiff's including personal injury, product liability, medical malpractice and construction accidents.

She represented the towns of Cicero, Salina and Van Buren, and the Village of North Syracuse, in zoning and planning matters.





With Liberty and Justice for All

By: Carrie Chantler

This June marked the 50th Anniversary of the violent police raid of The Stonewall Inn, a Greenwich Village pub favored by local lesbian, gay, and transgender people.

We're proud in June of how far from the 1969 Stonewall Riots our LGBTQIA+ colleagues, business partners, military members, neighbors, siblings, relatives, and the list goes on and on, have come since the days when the flame of their sexuality and gender identity would no longer be dimmed by an unenlightened society.

Following the tumult of the Civil Rights Era the fight for LGBTQIA Rights was outed in the aftermath of Stonewall. The social uprising incited social and political activism that in the five decades since the raid

has netted the community a painstaking progression toward equality.

Throughout the month and across the country celebrations were conspicuous and plentiful in parades, community meet-ups, and rallies.

And on Monday, June 10th Onondaga County Bar Association members were hosted by the OCBA Diversity & Inclusion Committee in the gracious offices of Barclay Damon for an after-work networking reception.

Among the guests was Matthew Skinner, the executive director of the Richard C. Failla LGBTQ Commission of the New York Courts. On a tour to "try to hit every corner of the state," Skinner stopped in Syracuse to

attend the event, before going to others like it in Monroe and Erie counties.

"Fifty years from now, I hope we have a society where we are all fully equal under the law and don't have to worry about what is 'normal' and expected," he said.

"And that all the firsts will be over."

The Commission, which the OCBA recognized with the 2018 Diversity & Inclusion Achievement Award, promotes awareness of LGBTQIA+ issues within the court system by respecting the dignity of all who cross a courthouse threshold.

This year, the Commission's key initiative is to assure transgender people are completely welcomed in the court system. Thanks to the Gender Expression Non-Discrimination Act, signed into law in January 2019, signs are now posted outside the state's hundreds of courthouse restrooms that assure no one is denied access based on their gender identity or expression.

At 401 Montgomery Street, the signs are visible throughout the court house. Building employees remark the change has been easily accepted.

"It's like you're at home," said Karen Wilcox, secretary to Syracuse City Judge Mary Anne Doherty, a Failla Commission member. "We all have to use the restroom."

Transgender Name Changes and More

Syracuse celebrates another win for the LGBTQIA+ community in the recent establishment of an LGBT* Rights Attorney position at the Volunteer Lawyers Project of Onondaga County, Inc.

A longtime friend to VLP, Mallory Livingston began working in the role in May.

Through a NYS Department of Health five-year grant, Executive Director Sally Curran says a "recognized huge community need" can be satisfied by Livingston's work in facilitating transgender name changes, amending identity markers, and addressing larger discrimination and access to health care issues.

She just needs help to do it.

"Word is getting out" about the program that is becoming inundated with requests from the five-county region VLP typically serves, said Curran. Now, they've represented people in name changes in 27 counties.

Last year, VLP received roughly 75 name change requests. Altogether VLP has handled 266 name changes since 2013; 167 are currently closed and 47 are pending. All of them 100 percent successful.

"But I got five requests yesterday," Livingston noted.

Curran said she anticipates receiving 200 more requests before year end.

"We're in desperate need for lawyers and paralegals to help out with name changes, or with expertise in ERISA, healthcare, and insurance," she said. "And critically we want to train lawyers to help."

VLP found that partnering with area doctors' offices provides an inroad to bring legal resources to those experiencing harassment and discriminatory actions by insurance carriers, or in the workplace, in public accommodation, and elsewhere.

"The trans population is very isolated socially, and it's hard to communicate to and reach them and we find that sooner or later they'll end up at a (medical) clinic," Livingston said. "Through the process we find out about other problems."

Once referred to VLP, transgender clients often divulge their stories and what came in as a straightforward name change can become a multi-faceted attorney-client relationship with access to a variety of legal services.

But name changes, while appearing simple, can be fraught with danger.

Through advocacy, VLP is able to get the publication of name change notices waived, thus avoiding being outed publicly as transgender and potentially targeted for discrimination, harassment or even violence. And for low-income clients, the \$210 filing fee is also waived.

A name change may seem like a small legal transaction that folks might try to affect themselves, but the forms and the process are confusing and most people give up in frustration, Livingston said.

"You'll not find a happier client than when you tell a transgender client their name change went through," she said.

"You get hugs, you get tears. Because it's the first time in their life they receive official validation of who they are."

The background of the flyer features a vibrant rainbow in the upper right corner and the pink, blue, and white stripes of a transgender flag in the lower left corner. The central text is contained within a dark blue rectangular box.

Volunteer Lawyers Project of
Onondaga County

LGBT* RIGHTS PROGRAM

LEGAL RESOURCES TO ASSIST MEMBERS OF THE
LGBT* COMMUNITY EXPERIENCING DISCRIMINATION
AND/OR HARASSMENT WITH REGARD TO:

- FREE Name & Gender Marker Changes
- Employment
- Public Accommodations (Including School, Businesses & Hotels)
- Health Insurance
- Housing
- Birth Certificate Amendments
- CPS Investigations
- Police Oversight Agency Hearings

Referrals & requests for information should be directed to:

Mallory Livingston, LGBT* Rights Attorney

mlivingston@onvlp.org

(315) 849-9234

www.onvlp.org

5th Annual Reception

WELCOME *to* SYRACUSE

Summer Interns, Summer Associates & New Lawyers

ALL ARE INVITED!

Please spread the word to your summer interns and associates, newly admitted and/or hired attorneys, and law school students summering in Syracuse as they study for their Bar exam. This is a great opportunity to network, learn more about our professional community and find out why Central New York is a great place to live, work and play.

DATE: Tuesday, July 9, 2019

TIME: 5:00 - 7:00 p.m.

Free parking in the "Stadium" lot

Syracuse University College of Law
950 Irving Avenue, Syracuse, NY 13244



WELCOMING REMARKS

Crystal Doody and Kayla Arias, Co-Chairs, OCBA Diversity and Inclusion Committee

Featuring presentation of the 4th Annual OCBA Diversity & Inclusion Achievement Award to:
The William Herbert Johnson Bar Association of Central New York

Please email Peggy Walker at pwalker@onbar.org with names/number of guests.



Mutt Strut!

On Thursday, June 20, the OCBA's Volunteer Advocate Lawyer for Animal Abuse Court ("VALAC") program put on its first Mutt Strut fundraiser! Hosted at the Rail Line, a new downtown event space, the invited local animal rescues to bring adoptable dogs to walk the runway. Fetch-a-Friend Rescue, United Friends of Homeless Animals, CNY SPCA, Dog Gone Inn Doggie Daycare, Friends of Second Chance Canine Adoption Shelter, Paws Across Oswego, and Recycle-a-Bull Bully Breed Rescue all brought "mutts" to strut!

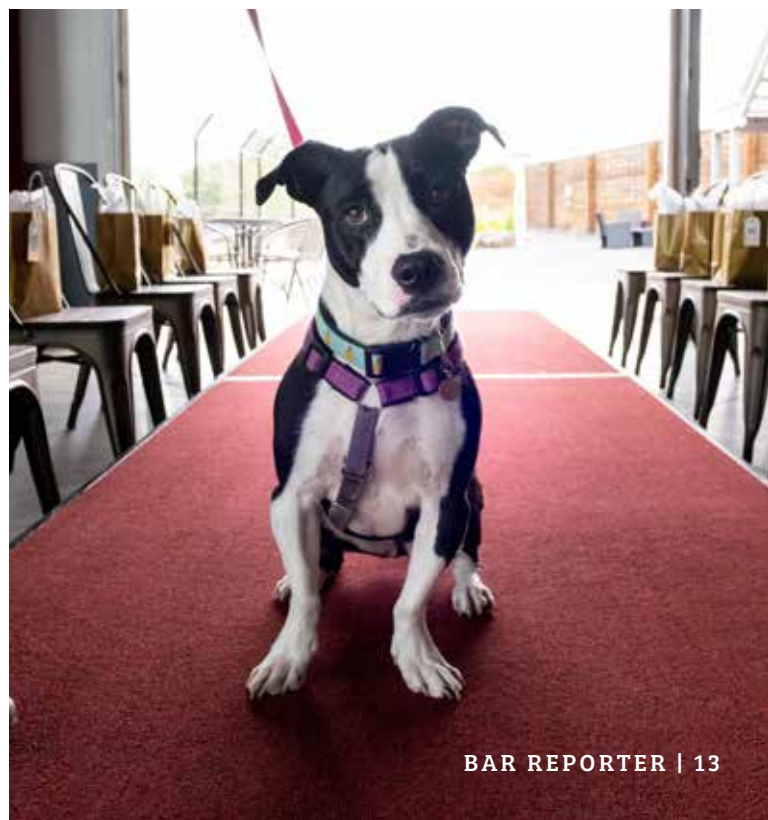
Our fundraiser had generous support thanks to legal sponsors Mackenzie Hughes, Bousquet Holstein, and Nick DeMartino Law. Attendees were treated to music by Wordenius and Chef4Rent Food Truck offered delicious dinner options. The VALAC team secured a seasonal craft beer donation from Local 315 Brewery, and all proceeds from those purchased pints went directly to VALAC!

Throughout the night attendees participated in raffles and purchased door prize doggie bags. VIP seating was available along the runway for the main event! Raffle items included handmade jewelry, original artwork, wine and other alcohol, gift cards and gift items from local establishments, including Dinosaur BBQ and XO Taco. We also want to thank our 50/50 raffle winners who generously donated back their winnings. Overall, we exceeded our goal to raise over \$2000 for VALAC!

~ Colleen M. Gibbons, Esq.

Photos courtesy of Mindy Vavonese





THE PRACTICE PAGE:

NEW STATUTE OF LIMITATIONS FOR SEX ABUSE

Hon. Mark C. Dillon *

Effective February 14, 2019, New York changed its statute of limitations for cases that may be brought by victims of various forms of sexual abuse. The New York Child Victims Act amends provisions of CPLR Article 2 and corresponding provisions of the Criminal Procedure Law, General Municipal Law, and Judiciary Law. The public policy behind the Act is the recognition that the nature and secretiveness of sex abuse against minors interferes with the minors' short and long-term abilities to seek legal redress within the standard infancy toll of CPLR 208.

On the criminal side of the equation, CPL 30.10 was amended to provide that criminal statutes of limitations are tolled for victims under the age of 18 at the time of the abusive act(s), until the victim turns 23. This applies to any conduct violative of Penal Law Article 130 (various defined offenses such as sexual misconduct, sexual abuse, aggravated sexual abuse, and rape in various degrees), sections 255.25, 255.26, and 255.27 (incest in the first, second, and third degrees), and section 263.05 (use of a child in a sexual performance).

Civily, CPLR 208 is amended to provide, in new subparagraph (b), that for minors victimized by any of the foregoing sex offenses defined by the Penal Law, actions may be commenced for damages from physical, psychological, or other injuries or conditions, until the victim plaintiff reaches the age of 55. It matters not whether the causes of action are based on negligence, intentional tort, or both. For decades, the infancy toll of the statute of limitations has been to age 18, and for any applicable limitations periods of more than three years, those limitations were capped at three years by CPLR 208. As a result, when tolls are needed to extend the time for commencing actions, infant plaintiffs could never timely commence actions beyond, at most, age 21. These standard tolling provisions, including the post-toll three-year cap for limitations periods greater than three years, still apply to all other actions in what is now denominated in new subparagraph (a) of CPLR section 208; but the standard tolling provisions no longer apply to the defined category of sexual abuse torts, where actions may now be brought to age 55. The durational difference is significant.

A new CPLR 214-g has also been enacted. It provides that if the plaintiff or infant plaintiff seeks to commence an action based on prohibited sexual conduct against a municipality, the state, or a school district, the requirement of GML section 50-e(1)(a), that there be service of a notice of claim within 90 days of the accrual, no longer applies. The elimination of the notice of claim requirement makes sense given the nature of the surreptitious conduct that these actions involve, and the intent of the legislature to enable plaintiff victims to bring civil actions for many additional years, even decades. CPLR 214-g also provides from its effective date a one year *revival* period for qualifying cases which were already time-barred or dismissed, no matter how long ago the alleged sex abuse occurred. Section 219-d has been added to the Judiciary Law authorizing the state's Chief Administrative Judge to promulgate rules for the timely adjudication of revived actions, which might hint at trial preferences. The unique and sensitive nature of these cases also is recognized by the addition of section 219-c to the Judiciary Law, which directs that there be specialized training of judges and justices for sexual abuse and sexual assault cases. Presumably, the language applies to jurists in both criminal and civil Parts.

These statutory amendments suggest that the legislature will not permit individuals or institutions to benefit from traditional statutes of limitations, at the expense of minors, by "running out the clock" on victims who have been, or are, too afraid, ashamed, or damaged to seek remedies in the courts against those who have allegedly preyed upon their vulnerabilities. Predictably, new civil actions may be commenced courtesy of this new law.

*** Mark C. Dillon is a Justice of the Appellate Division, Second Department, and an Adjunct Professor of New York Practice at Fordham Law School.**



NEW DATE!

Onondaga County Bar Association
Continuing Legal Education

NEW YORK STATE
CIVIL PRACTICE LAW AND RULES

Thursday, July 11th, 2019
1:00 - 4:00p.m.

SUNY Oswego Metro Center
2 Clinton Street, Syracuse

NOTICE: FOR REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current term of the office of United States Magistrate Judge Therese Wiley Dancks at Syracuse, New York is due to expire on February 9, 2020. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the magistrate judge to a new eight-year term.

The duties of a magistrate judge position in this court include the following:

(1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; (4) preparation of report and recommendations to the judges of the district court on prisoner civil rights cases, habeas corpus cases, social security appeal cases and other civil matters as referred by the judges of the district court; and (5) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to the attention of the Committee Chair; in care of: **John M. Domurad**, Clerk of Court, U.S. District Court, 100 S. Clinton Street, P.O. Box 7367, Syracuse, New York 13261-7367.

Comments must be received by September 15, 2019.

THE DISTRICT COURT IS AN EQUAL OPPORTUNITY EMPLOYER



City of Syracuse Aligns Omitted Tax Billing with Other Municipalities

The City of Syracuse is changing the way it handles billing for omitted taxes. Starting July 1st, the City will no longer issue supplemental tax bills for the additional taxes owed.

Instead, the City will handle the additional, prorated taxes, known as “omitted taxes,” the same way they are treated in most other cities and towns in New York: the omitted taxes will be billed on the following year’s tax bill. Omitted taxes will be identified as a separate levy line item on the City-School and County tax bills. Since the City is adopting a practice that has long been used in most other municipalities, the practice should be easier for lenders, brokers, attorneys and others in the real estate community.

Regarding the billed amount to property owners, for the rest of the City-School and County tax bill periods the new owner pays the same reduced amount as the prior owner. The next tax bill (the first full year bill) will be higher than normal because it doesn’t have the exemption AND it has the omitted taxes from the prior year on it. The following year (the second full year tax bill) and thereafter, will be the true amount.

For questions or additional information, contact **Martha Maywalt** in the Syracuse Department of Taxation and Finance at (315)448-8297 or mmaywalt@syrgov.net.

18th Annual Dan Mathews Golf Outing

Sponsorship Opportunities

Date: Thursday, August 22, 2019

Location: Pompey Country Club



GEDDES FEDERAL SAVINGS
and Loan Association

Platinum Sponsor \$1000

- Complimentary Foursome (\$500 value)
- Dinner for Four
- Hole Sponsor (Tee & Green)
- Four Cart Sponsors
- Recognition in Dinner Program
- Recognition on OCBA Website, Social Media and Bar Reporter

Hole Sponsor \$300

- Sign on Cart, Tee & Green
- Recognition on OCBA Website, Social Media and Bar Reporter

Tee Sponsor \$150

- Sign on Tee

Schedule

11:30am	Registration & Lunch
12:45pm	18 Hole Shotgun Start
5:30pm	Dinner & Awards

Prices

\$125	18 Holes, Cart & Steak Bake
\$100	Newly Admitted Attorney (<5 years)
\$50	Steak Bake Only

Register online at www.onbar.org/events-programs/
For more information, contact JUnaitis@onbar.org

18th Annual Dan Mathews Golf Outing Sponsorship Form

☐ Platinum Sponsor ☐ Hole Sponsor
☐ Tee Sponsor



Name _____
Firm _____
Address _____
Phone _____
Email _____

Players Names (if applicable) _____

Amount enclosed: \$ _____

*Event proceeds benefit the Lawyers Assistance Program of the
Onondaga County Bar Foundation and Bar Association*

The Monthly Newsmakers

VOLUME 64 NUMBER 6

JUNE 2019

50 CENTS

COUNTY NEWS

Syracuse University College of Law

Syracuse University College of Law Alumnus Frank Ryan L'94 Named US Chairman of DLA Piper

Syracuse University College of Law Alumnus **Frank Ryan** L'94 has been named the next US Chairman of multinational law firm DLA Piper, the 4th largest law firm in the world, with offices in more than 40 countries. In his new position, Ryan will be responsible for the firm's US operations, which includes more than 1,500 lawyers and nearly 3,000 total employees in more than 30 offices.

Ryan became a Partner in DLA Piper's New York City office in 2010 and is currently Global Co-Chair and US Co-Chair of the firm's Intellectual Property and Technology Practice and Deputy Chair of its Media, Sports, and Entertainment Sector. He is also a member of the firm's US Executive Committee and Global Board.

Ryan is known for his broad experience in high-stakes litigation involving intellectual property, major commercial matters, and sovereign issues, as well as in counseling clients on media and sports deals and intellectual property portfolio development and protection. The long list of high-profile clients he has represented includes Disney, ABC, TomTom, Pac-12, Nike, ESPN, beIN Media Group, Al Jazeera, Medtronic, and ConMed. Ryan is also handling significant matters related to the 2022 World Cup in Qatar.

A 1990 Syracuse University bachelor of science graduate, Ryan was a four-year varsity letter winner in wrestling. At the College of Law, he distinguished himself academically and as an advocate, becoming a member of the Order of the Coif and the Justinian Honorary Law Society, receiving a Gerald Resnick Memorial Scholarship, and participating on advocacy trial teams. After graduating magna cum laude in 1994, Ryan joined Nixon Peabody, eventually becoming head of its Litigation Department.

Ryan is a member of the College of Law Board of Advisors and a 2017 recipient of a Syracuse Law Honors Award from the Syracuse University Law Alumni Association. He is a frequent guest lecturer and panelist for the College of Law's Entertainment and Sports Law Society's annual symposium.

"On behalf of the College of Law, I congratulate Frank Ryan on this significant achievement. His accession to this role is not only a personal accomplishment but also one that reflects well on the College's strength and legacy in intellectual property law," says Dean Craig M. Boise. "I'm particularly pleased that Frank has remained committed to the College of Law philanthropically and programmatically. He has been eager to share his wisdom and his vision with our



students and the rest of the College of Law community as a guest speaker and as a member of our Board of Advisors. Frank is a consummate example of what it means to be an Orange lawyer."

DLA Piper's partnership voted to elect Ryan as US Chairman on May 22, 2019. He will assume his new role effective Jan. 1, 2021, for a term of four years.

Barclay Damon Launches New Firm Website

Barclay Damon is pleased to announce the launch of its new website at www.barclaydamon.com. The website reflects the firm's client-centric focus, genuine commitment to diversity, and relentless search for attorney talent.

Created to provide an intuitive user experience, the site's responsive design helps clients, potential clients, prospective lateral attorneys, and other visitors find information quickly and seamlessly in an aesthetically pleasing digital environment. The website highlights the firm's legal capabilities and representative experience relevant to clients operating in rapidly changing industries. The new site is built on a responsive design platform that allows navigation equally well on traditional and mobile devices.

John Langan, Barclay Damon's managing partner, said, "From the beginning of the project, it was imperative that the site be practical and easy to navigate, reflecting the convergence of a physical and digital world. It was intended to use the most current technology and creative design features to help visitors quickly get the information they are looking for. It was also intended to express who we are, what we value, and the kind of experience you'll have working with us. From the opening homepage to the pages that follow, the site highlights teams of business-minded professionals who share an uncompromising pursuit of success for our clients. The site's design and photography are intended to showcase the attorneys in a contemporary, relatable way—as dedicated, approachable professionals."

A Client Collaboration Center link in the footer provides easy access to our secure LegalAnywhere extranet. The site's bold look, intuitive design, and functionality continue throughout the user's experience.

"At Barclay Damon, we're always looking for ways to leverage technology

to collaborate with our clients and build effective solutions for their needs," Langan said. "I'm proud of the deep commitment we share to being true partners to our clients, and I'm equally proud of the vibrant energy and diverse talent we have here at Barclay Damon. If our website clearly communicates these attributes, and I believe it does, it's doing its job beautifully."

The site's design also strongly reflects the firm's historic and ongoing focus on finding and attracting attorneys looking to join a fast-growing, dynamic law firm that has gone from 50 to nearly 300 attorneys over the past two decades.

Connie Cahill, the firm's deputy managing partner, said, "A primary goal in designing the site was to articulate how Barclay Damon's culture of inclusion and unique recruiting and integration program have made us the law firm of choice for laterals across the Northeast. Following our major combinations over the past year and a half with the firms Gilberti, Stinziano, Heintz & Smith and Menter, Rudin & Trivelpiece and the addition of seven new attorneys from Lacy Katzen plus other individuals and small groups of attorneys, the new site will help us continue to attract the best and brightest."

CURTIN LAW FIRM, P.C. ATTORNEYS AT LAW

Curtin Law Firm seeks an Associate Attorney with at least two years of experience for an active practice focused on Municipal Law, Commercial and Residential Real Estate, Estate practice, Employment Law, Title IX and related laws. Must be admitted to the New York Bar. Interested applicants should submit Resume, Cover Letter and Writing Sample to jmurphy@curtinlawpc.com.

42 Albany Street,
Cazenovia, New York 13035

BURGIO, FIGUEROA AND ROOT JOIN BARCLAY DAMON

Barclay Damon announces **Aleece Burgio, Gabrielle Figueroa** and **Jessica Root** have joined the firm. Burgio will work out of the Buffalo office as special counsel. Figueroa and Root will work out of the Syracuse office as associates.

Burgio is a member of the Corporate Practice Area and health care and cannabis teams. Her primary focus is structuring, licensing, and maintaining compliant cannabis businesses at the federal, state, and local levels. Burgio began her legal career at a Portland, Oregon-based cannabis law firm and has experience working with both public- and private-sector clients, including state regulatory agencies, financial institutions, and licensed businesses. Prior to Barclay Damon, she worked as senior counsel at McGuire Development.

Figueroa is a member of the Regulatory and Commercial Litigation Practice Areas and energy team. She manages retail electric and gas license compliance for clients and monitors ISO and federal activities for impact on state markets. Figueroa also has experience overseeing and responding to investigations initiated by state regulatory agencies and routinely drafts public comments and regulatory filings, including siting applications, correspondence, and petitions for participation in rate cases. Prior to Barclay Damon, she worked as an associate at Bevan, Mosca & Giuditta, P.C.

Root is a member of the Corporate and Trusts & Estates Practice Areas. She focuses on a variety of matters involving mergers and acquisitions, corporate and partnership formations, business start-ups, and general corporate and business law.

Rhinehart Receives the Honorable Michael F. Dillon Attorneys for Children Award



The Honorable Michael F. Dillon Attorneys for Children Award was presented to local attorney **Robert F. Rhinehart, Esq.** by Presiding Justice Gerald J. Whalen on June 18, 2019.

Mr. Rhinehart was designated to receive the award by the Departmental Advisory Committee to the Attorneys for Children Program, which annually selects two attorneys for children from each of the Fifth, Seventh and Eighth Districts to receive this honor.

The award signifies vigorous advocacy on behalf of children. The award is named for the late Presiding Justice Michael F. Dillon, who spearheaded the development of the highest quality of representation for children in the Fourth Department and who initiated mandatory training for attorneys for children in New York State.

The Attorneys for Children Program

The Attorneys for Children Program is an auxiliary agency of the Appellate Division, Fourth Department. The Attorneys for Children Program currently is comprised of more than 850 attorneys, who dedicate a portion of their practice to taking cases on behalf

of the children of Western and Central New York. These special individuals become involved in some of the most difficult family circumstances in an effort to advance the interests of the children before the Court.

The difficult cases to which attorneys for children are assigned by the courts include: termination of parental rights based upon physical or sexual abuse, neglect or abandonment; contested adoptions; troubled children who have been identified as persons in need of supervision (PINS); children who have been charged with juvenile delinquency; and children who are the subject of emotional and complicated custody disputes.

Because of the difficult nature of this work, these attorneys deserve special attention and appreciation. Accordingly, the Departmental Advisory Committee to the Attorneys for Children Program annually selects two attorneys from each of the Fifth, Seventh and Eighth Judicial Districts to receive the Honorable Michael F. Dillon Award for outstanding advocacy on behalf of children.

BARCLAY DAMON LLP



New website, same commitment to client success.

Learn more about our nearly 300-attorney team, the values we share, and the vibrant energy we bring to working with others. Experience the Barclay Damon difference.

BARCLAYDAMON.COM

ALBANY BUFFALO ROCHESTER SYRACUSE BOSTON NEW YORK WASHINGTON DC TORONTO

125 East Jefferson Street, Syracuse, NY 13202 | 315.425.2700

LEPIANE JOINS BOUSQUET HOLSTEIN PLLC



Bousquet Holstein PLLC is pleased to announce that Rosemary F. Lepiane has joined the firm as an attorney in the Divorce and Family Law Practice Group.

Prior to joining Bousquet Holstein, Rosemary served clients at her own law firm for 10 years. At Bousquet Holstein she will work on civil matters with a focus on family court, divorce litigation and resolution. She has worked with clients in drafting separation and prenup agreements and litigated divorce cases from evaluating assets and equitable distribution to spousal/child support and custody. She has worked with clients from all backgrounds including domestic violence situations and has represented children in complex and highly contested custody matters. Rosemary is also a member of the CNY Collaborative Family Law Professionals which seeks to resolve cases in a collaborative matter instead of litigation and she is trained in mediation. Additionally, her experience in real estate law, tax law, and bankruptcy law provides additional client support in complex family and divorce matters.

Rosemary is involved in her community and currently sits on the Assigned Counsel Panel Board of Directors where she serves as secretary to the Board. This organization ensures that all people have a right to an attorney at every stage in criminal proceedings.

Rosemary was born and raised in Syracuse. She is a graduate of St. John Fisher College (Cum Laude) and Syracuse University College of Law. She has served as Assistant Corporation Counsel for the City of Syracuse where she handled complex civil litigation in both Supreme and Federal Court. During her tenure as an Assistant Corporation Counsel she successfully defended the City against a 40-million-dollar civil suit. She was also a Hearing Examiner for the City of Syracuse. While in law school Rosemary interned for the Onondaga County District Attorney's office.

Bousquet Holstein PLLC is a diversified law firm with offices in Syracuse, Ithaca, and New York City. The firm provides legal counsel in mergers and acquisitions, business transactions, alternative dispute resolutions, public finance, immigration, economic development, government relations, litigation, and more. For more information, please visit www.bhlawpllc.com.

FASOLDT AND XING JOIN FIRM AS SUMMER ASSOCIATES

Bousquet Holstein PLLC is pleased to welcome **Jeffrey C. Fasoldt Jr.** and **Kaimeng Xing** to the firm's Summer Associate program.



Jeffrey is entering his final year at Syracuse University College Of Law. At Syracuse, Jeffrey is an Associate Notes Editor for the Syracuse Law Review, and was inducted

into the Justinian Honor Society in the spring. This upcoming fall, Jeffrey will serve as a research assistant to E.I. White Chair and Distinguished Professor of Law, Robin Paul Malloy. Last summer, Jeffrey served as a Judicial Intern for the Honorable David N. Hurd, U.S. District Court, N.D.N.Y. Jeffrey is a cum laude 2017 graduate of St. Bonaventure University, where he earned a Bachelor of Arts in Journalism, with a minor in Law and Society. During his time at St. Bonaventure, Jeffrey served as a Content Marketing Intern at Annese & Associates, Inc. in Rochester, NY. He also served as a Communications/Development Intern at the District of Columbia Bar Foundation in Washington, D.C. Jeffrey has also worked as a sports writer for the Livingston County News, as well as for Bonaventure's student-run online newspaper – The Intrepid.



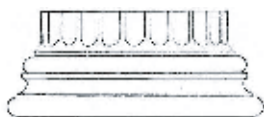
Kaimeng is a student at Cornell University, Cornell Law School. His is a magna cum laude 2018 graduate of Ohio State University, where he earned a Bachelor of Science in

Business Administration from the Max M. Fisher College of Business, and a Bachelor of Arts from the College of Arts and Sciences. At Ohio State, Kaimeng has served as a Resident Advisor. He has also served as an Internal Audit Intern at Worthington Industries in Columbus, Ohio, and a Corporate Planning Intern at Southwest Airlines in Dallas, Texas.

Your Environmental Guy



THE LAW OFFICE OF
DOUGLAS H. ZAMELIS



Available for consults and referrals of environmental, health & safety, and zoning matters

Over 30 years experience dealing with NYSDEC, NYSDOL, NYSDOH, APA, USEPA, USACOE, OSHA, USDOJ and regional, city, town and village planning and zoning boards

(315) 858 6002

dzamelis@windstream.net



Division of Regional Affairs
Utica Regional Office
Assistant Attorney General
Reference No. UTC_AAG_3222

The New York State Office of the Attorney General (OAG) seeks an experienced litigator to work in its [Utica Regional Office](#) located in Utica, N.Y. The Regional Office represents the State, its agencies and officers in a wide range of state court litigation arising in its eight-County region, including Claims, writs, Article 78s, and mental hygiene cases. The Regional Office also handles charities matters and affirmative public advocacy litigation. The selected attorney will handle all phases of litigation from commencement through trial and post-trial memoranda. The selected attorney will also actively engage in pre- and post-trial motion practice.

Applicants must have a minimum of five (5) years of practice experience. Trial experience and the ability to handle a large caseload are essential. Superior writing, analytical, organizational and negotiating skills are required. Knowledge of the CPLR and rules of evidence is also required. Familiarity with the Court of Claims is a plus. Occasional travel is required.

Applicants must reside in (or intend to soon become a resident of) New York State and be admitted to practice law in New York State. In addition, the Public Officers Law requires that attorneys in the Office be citizens of the United States. A two (2) year commitment upon being hired is a condition of employment.

OAG employees serve more than 19.85 million state residents through a wide variety of occupations. We offer a comprehensive New York State benefits package, including paid leave, health, dental, vision and retirement benefits, and family-friendly policies. As an employee of the OAG, you will join a team of dedicated individuals who work to serve the people of our State.

*Candidates from diverse backgrounds are encouraged to apply.
The OAG is an equal opportunity employer and is committed to workplace diversity.*

HOW TO APPLY

Applications are being received online. To apply, please visit our careers website: <https://ag.ny.gov/job-postings>.

Applicants must be prepared to submit a complete application consisting of the following:

- [Cover Letter](#) (You may address to Sandra Jefferson Grannum, Esq., Bureau Chief, Legal Recruitment)
- [Resume](#)
- List of three (3) [references](#) with contact information and email addresses
- [Writing Sample](#)

Please note: Failure to submit a complete application will delay the consideration of your application.

If you have questions regarding a position with the OAG and the application process or you need assistance with submitting your application, please contact the Legal Recruitment Bureau via email at recruitment@ag.ny.gov or phone at 212-416-8080.

For more information about the OAG, please visit our website: ag.ny.gov

GROWING TRIAL FIRM



HIRING

ATTORNEYS AND LEGAL STAFF

WE HAVE BEEN HONORED BY:

Top 100 verdicts in New York in 2016
BEST companies to work for in 2017, 2018, & 2019
One of the top 25 MVA 2016 verdicts in NY

Visit williammattar.com/careers/syracuse-ny to learn more



NL | NEWMAN & LICKSTEIN

We seek an excellent attorney to join our growing corporate, technology, real estate or litigation practices. Our ideal candidate will have previously worked at a large law firm or have a background in science, technology or engineering.

Newman & Lickstein is a growing and entrepreneurial law firm providing top of market compensation, excellent benefits, and a great work-life balance. Please submit your resume and cover letter in confidence to info@newmanlickstein.com.

We look forward to hearing from you.

www.newmanlickstein.com

Syracuse, New York | Since 1967

NEED TO REFER A CASE DOWN SOUTH?

On Time, Hassle-Free Referral Fee

I am a **LeMoyne College** graduate (Class of 1980). My firm handles cases throughout the southeast and we have the resources and experience to litigate any size or type of PI case. Contact me and I will personally discuss your case with you.

- Auto Accidents
- Medical Malpractice
- Nursing Home Abuse
- Slip & Fall Claims
- Premises Liability
- Workers' Liability
- Product Liability
- Class Actions
- Mass Torts
- Commercial Disputes



PERSONAL INJURY ATTORNEYS
KELLEHER FIRM
JIMFORJUSTICE.COM

*Jim Kelleher, ESQ.
Managing Partner
The Kelleher Firm*

1100 Fifth Avenue South
Suite 307
Naples, FL 34102
Jim@jimforjustice.com

CALL
239-404-1775



James J. Kelleher

ATTORNEY WANTED - ITHACA

Hancock Estabrook, LLP is seeking an experienced transactional attorney with at least 5 years' experience to join our Ithaca, New York office. Experience in corporate, nonprofit, real estate and trusts and estates matters is preferred. Hancock Estabrook provides attorneys with a competitive salary and benefits package including medical, dental and vision coverage; a 401 (k) and profit sharing retirement plan; paid holidays, vacation, personal and sick time; life insurance; short-term and long-term disability insurance. Join a work environment that earned Hancock Estabrook the distinction of being one of the Best Companies To Work For in New York in 2019.

.....

To be considered for this position, please email a cover letter, resume and references to our Recruitment Administrator at recruiting@hancocklaw.com



Hancock Estabrook, LLP is an equal opportunity employer

Hancocklaw.com
SYRACUSE | ITHACA



APPEALS

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

John A.
CIRANDO
Attorney at Law

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

We APPEAL To You®

TERENCE A. LANGAN, P.C.

34 Years Experience
Florida and New York Estate Administration
New York Commercial Real Estate
(315) 445-9761 terry@langanlaw.us

REFERRALS WELCOME

892 E. Brighton Ave.
Syracuse, NY 13205

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

M & T Bank Bldg • Suite 750
101 S. Salina Street
Syracuse, NY 13202
T: 315.474.1267



www.lynnlaw.com

BAR BOARDS:

REAL PROPERTY/ESTATE/PROBATE ASSOCIATE ATTORNEY SOUGHT

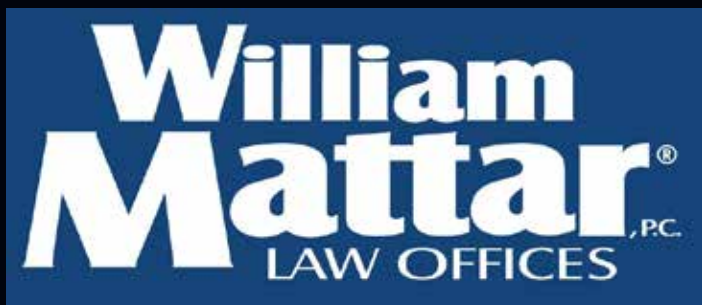
Busy Manlius law office seeks a full time and/ or part time associate attorney admitted to practice in New York State to assist with real property, and estate/ probate matters. Position is intended to offer opportunity for attorney to develop long term suburban practice. Compensation based upon experience. Resume and references required. roleary@olearylalaw.us.com

COSTELLO, COONEY & FEARON, PLLC SEEKS ASSOCIATE ATTORNEY

Mid-size firm seeks Associate Attorney with an interest in the areas of commercial litigation, creditor's rights, bankruptcy and real estate. Newly admitted and attorneys with up to three years experience will be considered. Strong work ethic and excellent organizational skills are required. Competitive compensation and benefits package. Qualified candidates should submit resume to Costello, Cooney & Fearon, PLLC, 500 Plum Street, Suite 300, Syracuse, New York 13204, Attention: Lisa Reedy

ATTORNEY NEEDED FOR TRIAL IN NYS COURT OF CLAIMS

Attorney needed to try a case against State of New York in the Court of Claims regarding negligence against a correctional facility resulting in permanent brain damage. Case is ready to be tried; subpoenas served. Attorney of record deceased. His paralegal has all information. Please contact Saul Eagle at (917)-940-9540. Case: Carpio v. New York State.



ATTORNEY FOR WILLIAM MATTAR, P.C.

We are seeking Attorneys with different levels of experience to handle client cases from initial client meeting through resolution.

Top100 verdicts in New York in 2016; Top 25 MVA 2016 verdicts in New York

Best Companies to work for in 2017, 2018

Apply at: <https://www.williammattar.com/syracuse>

BAR BOARDS SERVICES

Members

- \$30 for each monthly edition
- Maximum of 5 lines/50 words
- One ad per entity

Non-Members

- \$60 for each monthly edition
- Maximum of 5 lines/50 words
- One ad per entity

Want to post a Bar Boards ad?
Contact **Carrie Chantler** at cchantler@onbar.org.

Ethics Hotline

New York lawyers faced with ethical questions regarding their own prospective conduct can reach the Ethics Hotline through Customer Service, **Victor Hershdorfer** at **315-913-4087** or **Paula Mallory Engel** at **315-727-7901**.

The Ethics Hotline is operated and staffed by members of the Onondaga County Bar Association's Committee on Professional Ethics (the "Committee"). These volunteers respond to inquiries made by lawyers admitted in New York who face ethical questions regarding their own prospective conduct. The purpose of the Hotline is to provide informal guidance to callers in accordance with the New York Rules of Professional Conduct (the "New York Rules"). Any information provided in response to a Hotline inquiry is merely the opinion of the Committee member answering the call. It is not the opinion of the Committee as a whole. The information provided in response to a Hotline inquiry does not constitute legal advice. If the matter involves complex issues, or implicates a substantive area of law, you may wish to retain professional ethics counsel.

Callers should be aware of the following guidelines before calling the Ethics Hotline:

1. The Hotline only provides guidance to lawyers admitted to practice in New York about the New York Rules.
2. The Hotline only provides guidance concerning the caller's own prospective conduct. We do not answer questions about past conduct or the conduct of other lawyers.
3. The Hotline does not provide legal advice or answer questions of law.
4. The Hotline does not provide answers to hypothetical questions nor inquiries which have also been submitted to another bar association's ethics committee.
5. The Hotline does not answer questions about the unlicensed practice of law (UPL). UPL is governed by statutory law, not the New York Rules and is, therefore, outside the Committee's jurisdiction.
6. The Hotline provides general guidance. Due to the limited information we can obtain during a brief and informal telephone conversation, we cannot provide a definitive answer to Hotline questions.
7. The Hotline does not answer questions where the issue itself is the matter of a pending legal proceeding or is before a grievance committee.
8. Although it is the Committee's policy to maintain confidentiality of all Hotline inquiries, callers should be aware that the information is not protected by the attorney-client privilege or RPC 1.6.
9. The Ethics Hotline does not respond to complaints or inquiries regarding unethical conduct of other lawyers. Any such complaints or inquiries should be addressed to the Grievance or Disciplinary Committee for the county in which the lawyer practices (see <http://www.nycourts.gov/attorneys/grievance/>).
10. Lawyers who call the Ethics Hotline are required to provide their full name and telephone numbers.

If, after speaking with someone on the Hotline, a New York lawyer wishes to obtain a written Informal Opinion from the Committee, he or she may submit a written request. Please review the guidelines for requesting an Informal Opinion here (See the attached guidelines [here](#)). As with Hotline questions, the Committee's Informal Opinions are limited to interpreting the New York Rules. Please be aware that the Committee cannot provide a concrete timeline for responding to written requests. If your matter is urgent, you may wish to retain professional ethics counsel.



SAVE *the* DATES!

The 144th Annual Dinner

With Special Guests:
Justices of the
Supreme Court of the State of New York
APPELLATE DIVISION
Fourth Judicial Department

Wednesday, October 23rd, 2019

Honoring the 2019 Distinguished Lawyer

Returning this year to the Grand Ballroom,
Marriott Syracuse Downtown

THEN:

Special Appellate CLE Program

Thursday, October 24th, 2019

1:00 – 4:00 p.m.

County Legislative Chambers,
Onondaga County Courthouse

Plan to join us for this special opportunity to hear
directly from the Justices of the Appellate Division:

- The Justices of the Fourth Department Offer a Peek Behind the Curtain, and Advise on Do's and Don't's
- Insight into the Disciplinary Process in the Fourth Department
- Dealing with Personal Crisis: The Role of Lawyer Assistance

Watch for registration for both events later this summer!



ONONDAGA COUNTY BAR ASSOCIATION

431 East Fayette St. | Syracuse, NY 13202 | Phone: 315-471-2667 | Fax: 315-471-0705 | www.onbar.org

NOMINATIONS NOW BEING ACCEPTED FOR THE ONONDAGA COUNTY BAR ASSOCIATION'S DISTINGUISHED LAWYER & RUGER AWARDS

President

Aaron J. Ryder

President-Elect

Paula Mallory Engel

Vice President

Danielle M. Fogel

Treasurer

Scott A. Lickstein

Secretary

L. Graeme Spicer

Immediate

Past President

John T. McCann

Executive Director

Jeffrey A. Unaitis

Directors

John H. Callahan
Crystal M. Doody
Hon. Matthew J. Doran
M. Eric Galvez
Jenna W. Klucsik
Jeffrey G. Leibo
Martin A. Lynn
Jimmie C. McCurdy
Lauren M. Miller
Samantha L. Millier
Sarah C. Reckess
Ramon E. Rivera
Laura L. Spring
Robert J. Thorpe
Jennifer L. Wang

Ex Officio

Dean Craig M. Boise
Jean Marie Westlake

The Onondaga County Bar Association (OCBA) is seeking nominations for the 2019 Distinguished Lawyer. We have been honoring a local attorney for distinguished service to the profession since 1968. The Distinguished Lawyer Committee reviews written nominations and recommends a candidate to the OCBA Board of Directors for its approval.

In order to qualify for nomination, the lawyer

- (1) must have devoted a professional career to the law;
- (2) must possess exceptional lawyering skills;
- (3) must display a devotion or dedication to the profession as evidenced by involvement or participation in projects or activities, reflecting an unselfish donation of time to the betterment of the profession; and
- (4) must possess ethics beyond reproach.

The Distinguished Lawyer Committee is also accepting nominations for the William C. Ruger Centennial Award, created during the OCBA Centennial in 1975. The Ruger Award was named after the first president of the OCBA, who later served as Chief Judge of the New York State Court of Appeals. This award is given to a judicial officer and is "reserved for recognition of singularly outstanding achievement in devotion to the principles of our system of justice." Since the creation of this award, only 10 jurists have been its recipient.

This year we are expanding our search for nominations and hope that you can help us. There is no specific form for nominations. Simply send a letter, including the name of the attorney or jurist, a resumé, and a description of why the individual meets the above criteria for either The Distinguished Lawyer or Ruger Award. Feel free to include any supporting information that may be helpful to the Committee.

Nominations may be submitted to the OCBA, 431 E. Fayette St., Suite 300, Syracuse, NY, 13202, in care of, Gioia A. Gensini, Chair of the Committee. Deadline for nominations is Friday, July 26th. Anyone interested in more information about the nomination process may contact OCBA at 471-2667 or Gioia Gensini at 234-8604.

Sincerely,

Gioia A. Gensini
Chair of the Distinguished Lawyer Committee

The mission of the Onondaga County Bar Foundation, the philanthropic arm of the Onondaga County Bar Association, is to aid members of the legal profession in Onondaga County who may be ill, incapacitated, indigent or otherwise in need, and to improve and promote:

- The administration of justice;
- Service to the public and the legal community;
 - Equal access to the legal system for all;
 - Professional ethics and responsibility;
 - Legal research and education; and
- Dissemination to the public of information about the legal system and the rule of law.

Established in 1975, the Foundation is a 501(c)(3) tax-exempt corporation. To fulfill its mission, the Foundation depends on individual donations (which are tax deductible as charitable contributions) and grants from other funding sources. The Foundation welcomes grant applications for projects consistent with this mission statement.

The Lawyers' Assistance Program Of Onondaga County

What is the Lawyers' Assistance Program?

The Lawyers' Assistance Program 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 Program's counseling agency.

Is Contact with the Lawyers' Assistance Program Confidential?

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

Why Was the Program Set Up?

The Program 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

From the Courts

FREE Online Training Session VIA Skype for Business

**ONE HOUR E-FILING TRAINING
for Supreme Court Training**

provided by
**New York State Courts
E-Filing Resource Center**

Learn how to E-File documents from your
office or personal computer.

**Supreme Court
*10:30am - 11:30am***

**June 20, 2019
July 18, 2019
August 15, 2019
September 19, 2019**

PRE-REGISTRATION REQUIRED

**Please go to our website at
www.nycourts.gov/efile**

and click on the “Register for Training” link.

**An email with an access link to the online session will be sent
to your registered email address prior to the training date.**

This is a general class that offers no CLE credit.

E-Filing Resource Center



OCBA CONTINUING LEGAL EDUCATION

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

NY Civil Practice - 2019

Thursday, July 11th, 2019

1:00 - 4:00 p.m.

SUNY Oswego Metro Center

2 South Clinton Street, Syracuse, NY 13202

Presenters:



Hon. Deborah Karalunas

Presiding Justice of Supreme Court,
Commercial Division, Onondaga County;
New York Pattern Jury Instructions Committee



Thomas E. Myers, Esq.

Retired, "Emeritus," Bond, Schoeneck & King,
Syracuse University College of Law,
Adjunct Professor of Law, NY Civil Practice,
2018 OCBA Distinguished Attorney of the Year



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.

3.0 MCLE (2.5 Professional Practice, 0.5 Ethics)

Light refreshments will be served.

Register at Onbar.org **or** by mail using the form below!

NY Civil Practice - 2019

Thursday, July 11th, 2019 | RSVP by July 9th

Member \$60 | Non-Member \$90 | Paralegal \$30 | Free to Lifetime/Agency/Student

Doors Open at 12:30p.m.

(Please make checks payable to the Onondaga County Bar Association)

Attendee(s): _____ Phone: _____

Firm/Organization: _____ Email: _____

Address: _____ Billing Zip: _____

☐ Check Enclosed ☐ Will Bring Check to CLE CC Card #: _____ Exp: _____