



ONONDAGA COUNTY BAR ASSOCIATION **BAR REPORTER**

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November 2019
Volume 64 Number 10



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:

**CLE | Legal Issues Related to I-81 Part Three:
Eminent Domain and I-81: What Does this
Road Ahead Look Like?** - December 4th

CNY Philanthropy Center, Second Floor Ballroom

OCBA's Holiday Reception - December 11th

Everson Museum of Art

Paralegals Holiday Luncheon - December 16th

CNY Philanthropy Center, Second Floor Ballroom

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



In Memoriam...

Kenneth C. Wheeler, Jr.
November 1st, 2019

Letter from the PRESIDENT

"I am thankful." This is a simple phrase that has the potential to make a profound impact on us all. In this busy world it can help to keep things in perspective. It can also perhaps lead to gaining a *different* perspective. During the "holiday season," it is my hope that we all take the opportunity to genuinely reflect on the people and moments in our lives that have provided us with joy, comfort and support. And in so doing, I hope you all have an enjoyable and relaxing Thanksgiving holiday!



After Thanksgiving, the OCBA invites you to the annual Holiday Reception on December 11, 2019. The reception will be at the Everson Museum of Art amidst the beautiful Festival of Trees holiday display. Beer and wine are included with the purchase of a ticket. Parking is ample, so whether you're walking over from the office or driving into downtown Syracuse, the Holiday Reception is the perfect way to celebrate the season with friends and colleagues.

The reception is also a fantastic way to help those in need. The OCBA will be accepting contributions at the Holiday Reception for both Operation Soap Dish and PEACE, Inc. Operation Soap Dish is an effort to supply toiletry and household cleaning items for people in need (i.e., soap, shampoo, toothbrushes, etc.). And PEACE, Inc., provides an opportunity to donate gift items and necessities for a particular family that has been "adopted" by and through the OCBA. Further information on both efforts can be found in the recent edition of Tuesday's Tips that you received via email.

Lastly, the end of the year begins the OCBA's membership drive. Remember, with your 2020 membership you will be entitled to receive six (6) free audio CLE credits (a \$180 value). The OCBA offers a wide variety of pre-recorded CLE presentations. It is a great way to obtain the sometimes difficult-to-earn credits. Listen in your car or while you are on your computer at work or in the comfort of your home. Just go to www.onbar.org and click on the "Purchase CLE Materials" under the "CLE Programs" tab to search for the CLE program (either audio or video) that suits your needs!

On behalf of the Bar Association, I would like to wish everyone an enjoyable Thanksgiving and a happy Holiday season!



Aaron J. Ryder, President



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Legal Issues Related to I-81

A multi-part program of the OCBA Community Engagement Committee

Part Three: Eminent Domain and I-81: What Does this Road Ahead Look Like?

Wednesday, December 4th, 2019

4:00 - 5:30 p.m.

CNY Philanthropy Center

2nd Floor Ballroom

431 East Fayette Street

Syracuse, New York 13202

FREE 1.0 MCLE CREDIT!

(1.0 Professional Practice)

Light refreshments served

Presenters:

Michael A. Fogel, Esq.

Patrick D. Donnelly, Esq.
of Brown, Duke & Fogel, P.C.

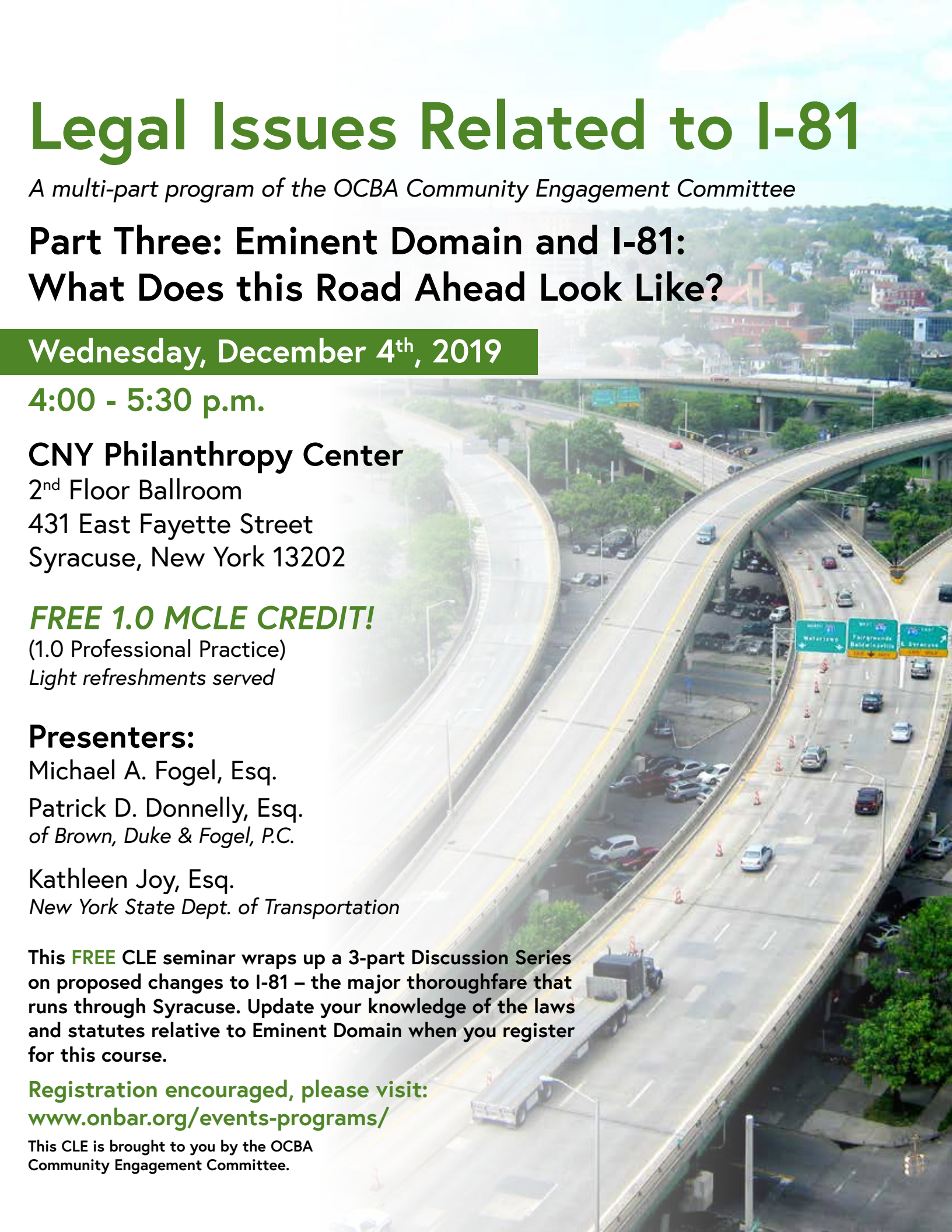
Kathleen Joy, Esq.

New York State Dept. of Transportation

This **FREE** CLE seminar wraps up a 3-part Discussion Series on proposed changes to I-81 – the major thoroughfare that runs through Syracuse. Update your knowledge of the laws and statutes relative to Eminent Domain when you register for this course.

Registration encouraged, please visit:
www.onbar.org/events-programs/

This CLE is brought to you by the OCBA
Community Engagement Committee.





**Andy Breuer, his wife Amy,
and their two children
sledding in Dewitt**

As president of my family-owned business, Hueber-Breuer Construction, I believe that my responsibilities extend beyond business operations. Supporting the community that my family has called home for generations is always at the forefront of my mind.

My father created the Hueber-Breuer Fund at the Community Foundation in 1991 to introduce philanthropy to my siblings and me early on. My wife, Amy, and I do the same with our children by collaboratively choosing which grants will be distributed from our donor-advised fund. We support causes ranging from the arts to the environment.

I hope that more families in our community think about the impact of giving multi-generationally. This community has been good to us, our business and our employees, and I want to ensure it remains a great place to raise families for years to come.

Multigenerational Giving: The Breuers



Read more of the Breuers' story at
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Ruger Recollections

BY: THE HON. JOHN J. BRUNETTI



At the Annual Dinner I was honored to receive the Ruger Award. Due to time constraints on my remarks, I told the attendees that I would write a Bar Reporter article on topics I did not have time to cover and that were not in the article announcing the award that had been published in the Bar Reporter. Here goes.

The first topic is my connection to the previous Ruger Award recipients. During my remarks I mentioned my connections to Judge Munson, Judge Hancock and Judge Simons. I remember Judge Lawton as the first judge to arrive at the party we threw when we formed DeFrancisco, Menkin and Brunetti in 1984. I knew Judge Pooler, but not well, until I had the pleasure of trying a civil jury trial to verdict before her in what I think was one of her last state court cases before moving over to federal court. My trials with Judge McCurn were both as a defense lawyer¹ and federal prosecutor.² I have known Langston McKinney since he was with the

Hiscock Legal Aid Society and Norm Mordue since he was Chief Assistant D.A. I worked with John Centra at the D.A.'s Office and for Fred Scullin at the U.S. Attorney's Office.

For those of you who are curious as to why I call some judges "judge" and others by their first name, here's the answer. If I knew a judge by first name when that judge was a lawyer, then I resumed that practice when I joined the judicial ranks. But even if I were on the U.S. Supreme Court, I would never think of calling Judge Munson "Howard" or Judge Hancock "Stewart"!

My very first legal job was working for Jacob Fuchsberg's firm as a law clerk while attending evening law school. Jacob Fuchsberg was a nationally renowned trial lawyer and later was elected a judge of the New York Court of Appeals. While working at the firm, I encountered the first judge I ever met and my first legal mentor: Retired Judge Samuel Liebowitz, who was of counsel to the firm and who I would sit with at lunch and hear his stories. Read his bio in the footnote³ –amazing!

My next law job while still attending law school was as a law clerk at the New York City Legal Aid Society, Manhattan Criminal Courts branch. My first set of assignments at Legal Aid concerned helping lawyers with cases and getting them out of jail when they were held in contempt and sitting in a cell. Then in 1972 I was "loaned" to the Special Litigation Unit to assist in the preparation for a preliminary injunction hearing in *New York State Ass'n for Retarded Children, Inc. v. Rockefeller*.² That lawsuit was brought to close what was then known as the Willowbrook State School. I not only got to meet Geraldo Rivera who became famous by going into Willowbrook and videotaping the terrible conditions, but also had the unique experience of working with excellent lawyers like Bruce Ennis who "appeared as counsel in some 250 cases before the United States Supreme Court."⁴

When I returned to the Criminal Court branch, I had completed two thirds of my legal education and so was permitted to appear in court under supervision of an admitted attorney. That is why on November 13, 1973, I was in Part AR-2 a first floor, rear courtroom in the Criminal Courts Building, bordering Chinatown. Then, what first sounded like firecrackers going off outside (a frequent occurrence) turned out to be William Spruill in the last row of the courtroom firing his .22 caliber handgun at Lois Ann Lockhart, his former girlfriend. There were police

Ruger Recollections

BY: THE HON. JOHN J. BRUNETTI

officers presenting complaints for arraignment in the first row, and they started firing their .38's toward the rear of the courtroom. Everybody ducked down—this was true pandemonium! The presiding judge was Richard Brown. It was his first day on the bench. When the smoke cleared, he was heard to knock on the underside of the bench asking “can I come out now?” Judge Brown later had a distinguished judicial career and later served for decades as Queens County District Attorney. Three footnotes: The police missed Mr. Spruill—he shot himself; it only took eighteen years before metal detectors were installed; and Judge Brown had to live with moniker “get down Brown” for the next forty-six years.

This brings us to Willie Nelson and Ray Price. I was working for a criminal defense firm in Dallas. Our client, Joe Dee Hicks, was friends with Willie Nelson and Ray Price. Mr. Hicks was only the second person ever charged in federal court with running a Continuing Criminal Enterprise.⁴ During the investigation, Willie Nelson was called before the grand jury. You may find his post-appearance TV interview on YouTube.⁵ Ray Price testified at trial that our client asked him to launder money for him. I will never forget when the prosecutor announced that his next witness was “Clifton Ray Price” and in walks the man, past the mesmerized jurors and when asked his occupation, like nobody knew, he resonantly bellowed: “I’m an entertainer”. Duhhhh!

After Mr. Hicks was sentenced and I moved to Syracuse, he retained me to bring a Rule 35 motion to reduce sentence. Unfortunately, Mr. Hicks was later charged with conspiring to import drugs into the United States from his location in the federal prison at Texarkana, Texas.⁶ At his trial, he called me as a witness to describe the Rule 35 motion proceedings and their status. I mention this only because I had the privilege of testifying at a trial presided over by Hon. Sarah T. Hughes, who administered the oath of office to Lyndon Johnson on the plane at Dallas Love Field on November 22, 1963.

By now I would imagine the name “Forest Gump” is coming to mind, so why don’t I finish by saying: I was at the Polo Grounds when Willie Mays made “the catch” in the 1954 World Series, I was at Yankee Stadium when the Baltimore Colts beat the New York Giants in overtime in the 1958 NFL Championship Game, and I was at Yankee Stadium, in right field no less, when Roger Marris hit his 61st home run in the last game of the 1961 season!

¹ *United States v. Giampino*, 680 F.2d 898 (2d Cir. 1982) and *United States v. Rubbish Removal, Inc.*, 1985 WL 1605 (N.D.N.Y. Apr. 11, 1985).

² *United States v. Burns*, 725 F. Supp. 116, 118 (N.D.N.Y. 1989).

³ “Samuel Leibowitz was a very prominent lawyer in the 1930’s, and one of America’s best, winning 77 out of 78 murder cases in fifteen years; the 78th was a result of a hung jury, and later becoming a supreme-court justice. One of Leibowitz’s greatest achievements as a criminal defense attorney was the Scottsboro trial. The Scottsboro trial was a very important case in United States history, in that it brought national attention to the issue of the situation of African-Americans in the early 20th century. James Goodman, a renowned historian, stated, “Scottsboro started a new movement that was one of the sparks that rekindled the equality movement.” <https://www.freeonlinepaper.com/biography-samual-leibowitz>

² *New York State Ass’n for Retarded Children, Inc. v. Rockefeller*, 357 F. Supp. 752, 755 (E.D.N.Y. 1973).

⁴ Bruce’s obituary in the New York Times read in relevant part: “Over the years, Mr. Ennis appeared as counsel in some 250 cases before the United States Supreme Court, representing litigants as well as friends of the court. The National Law Journal has listed him among the country’s 100 most influential lawyers since 1994. He became known nationally for his work to protect the mentally ill and retarded.” <https://www.nytimes.com/2000/08/02/us/bruce-j-ennis-60-lawyer-who-fought-for-civil-liberties.html>

⁴ *United States v. Hicks*, 420 F. Supp. 533, 539 (N.D. Tex. 1976); 558 F.2d 316, 326 (5th Cir. 1977)[Willie Nelson testified at grand jury: <https://www.youtube.com/watch?v=a6ycBabl6TQ>; Ray Price testified at trial.

⁵ <https://www.youtube.com/watch?v=a6ycBabl6TQ>

⁶ *United States v. Leon*, 679 F.2d 534 (5th Cir. 1982).

THE 144TH *Annual Dinner*

*Thank you again to the following sponsors for making
the 2019 Annual Dinner one of the best ones yet!*



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Holiday Reception

HELD AT THE EVERSON MUSEUM OF ART

Wednesday, December 11th

5:30 – 7:30 P.M.

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*Bring a guest and enjoy the beautiful
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What You Don't Know About Immigration Law Can Hurt You

By Andrea Godfread-Brown
and Caterina A. Ranieri
Harris Beach PLLC

Immigration has always been a hot political issue, but never more so than today. We see a constant stream of national media coverage of problems at the borders, building "The Wall", Immigration and Customs Enforcement (ICE) worksite raids, overburdened immigration courts, and high numbers of people who are undocumented. What is not often covered in the media is the silent wall going up against *legal immigration*.

The city of Syracuse greatly benefits from a large international population – SU professors and researchers from all over the world, computer programmers and engineers supporting and growing our local tech industry and physicians and nurses filling critical needs at our upstate hospitals. These professionals are facing increased scrutiny, restrictions and hurdles to maintaining their visa status and increased complexity in applying for green cards.

How could this impact you and your clients? Immigration issues can arise in many areas of law, including business practice, labor and employment, corporate practice, health care and taxation. Part of serving your client well is being able to identify when these issues arise and recognizing the complexity and high-stakes involved when counseling clients on proper resolutions.

You don't need to be an immigration law scholar in your everyday practice. But you do need to know when to ask for help. Since immigration involves detailed and complex federal rules and regulations – and potentially severe consequences for a misstep – consider whether the question you're facing falls outside the scope of your practice.

Here are 10 of the most crucial issues to keep front of mind to help you evaluate questions about immigration arising from an employment context:

1 Status, status, status.

Just as real estate is all about location, immigration is all about status. If an individual who came here from another country raises a question about immigration, your crucial first question as the practitioner should be, "what is your status in this country?" This answer to this question will guide how you respond as it will help paint the picture about the person's needs.

2 Just because someone is here on a visitor visa or via ESTA (Electronic System for Travel Authorization) does not mean they can work in the United States.

You need a valid work visa to work or volunteer in the United States. Being admitted into this country as a visitor does not convey that right.

3 If someone wants to work in the United States, they will need an employer to serve as sponsor.

But just having a sponsor is not enough. The individual will also need an approved work petition or separate work authorization document.

4 Immigration is not as simple as filling out a few forms.

The forms look simple enough. However, there is more at play than what meets the eye. You need to submit the proper evidence. Stories are legion about individuals filing the forms on their own, only to get a lengthy "Request for Evidence" from the government, or worse, a "Notice of Intent to Deny."

LOS ANGELES AIRPORT

DEPARTED

23.08.2018

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MIGRATION OFFICER



5 Employers must keep I-9 forms on file for all employees.

ALL employers must have ALL new employees fill out I-9 forms. These forms must be stored separately from all other employee records. Also, employers should be aware of what they are allowed to ask protective employees or newly hired employees for as documentation to attach to the I-9 form. Questions as simple as "Are you a U.S. citizen?" or "do you have a green card?" are absolutely not allowed to be asked and can open the employer up to liability under anti-discrimination laws.

6 I-9 audits for employers have dramatically increased in recent years.

Employers are subject to unannounced inspection of I-9 forms. The number of worksite enforcement investigations initiated by ICE has increased by more than 300 percent from 2017 to 2018, from 1,691 to a staggering 6,848. I-9 audits must be taken seriously. It is highly recommended that the employer work with attorneys who know and understand I-9 compliance rules.

7 Canadians are foreign nationals too!

Don't forget that U.S. immigration laws apply to Canadians, too. They must have proper work authorization to be employed in the United States.

8 Don't trust immigration chat groups or media about what the law really says.

As with any complex area of law, the broad stroke coverage by the media paints an overly simplistic picture (and loses some of the critical points). The personal stories shared online are overly specific and can't be applied to other situations.

9 The earlier the issue is caught and addressed, the better!

In this respect the immigration practice is no different than any other area of law. But the consequences can be much higher. Immigration is all encompassing. It doesn't impact just work or family lives, or travel. There is no fine to pay to make it all go away. Address issues promptly and proactively.

10 U.S. Immigration Laws are Constantly Shifting.

As the last two years have shown, the Trump Administration's changes are sweeping and sometimes sudden. That makes implementation unpredictable and inconsistent. Such an environment makes it difficult to be proactive. Know that going in.

Most important of all, know when you are getting in over your head and need to consult with an attorney who is experienced in immigration law. The specifics of immigration law are maddeningly detailed. Don't go it alone.



Andrea Godfread-Brown and Caterina A. Ranieri serve as senior counsel in the Syracuse office of Harris Beach PLLC and are part of the firm's Immigration Law Practice Group.

For ongoing insights into immigration, [subscribe](#) to our blog.





Paralegals *Holiday Luncheon*

MONDAY, DECEMBER 16TH, 2019

🌿 12:00 P.M. 🌿

CNY Philanthropy Center, 2nd Floor Ballroom
431 East Fayette Street, Syracuse, NY 13202

**WE ARE COLLECTING GIFTS FOR OUR
ADOPTED P.E.A.C.E. FAMILY.**

There is no cost to attend, but we ask that attendees bring a small, newly purchased gift or make a small donation to the P.E.A.C.E. family!

Space is limited – Please RSVP to Nodesia Hernandez
at MPAcommunity@gmail.com

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Thoughts

By: JUDITH LA MANNA RIVETTE



It would be traditional for Thanksgiving to run a *Thoughts* piece about giving thanks and gratitude. Here's an idea, instead. Why don't we make Thanksgiving a time to make a resolution?

Norman Rockwell's images of families and friends gathered around dining tables, while talking and laughing, are a stark contrast to the reality of much of our lives. Owing mostly to our electronic habits, nurtured by the speed and convenience they offer (we tell ourselves), we conduct our lives more and more without speaking with a human being. We don't really want to do that, do we?

Because of this electronic habit, we can carry out much of our lives without ever having to leave our houses or apartments. A meal? We can get complete dinners with just a computer click. Cook? Order meal components delivered to us, pre-measured to a pre-marked recipe. Groceries? Log-in, click boxes on an app, punch in a credit card payment and, with precise mechanical assistance, filled grocery bags await our drive-by collection.

We have lost so much. Goodbye to casual conversation with the store owner, the butcher, or the check-out clerk and to squeezing fruit or examining bananas for the least bruised. No talk with a nearby customer (*Anise? How do you cook with that?*). Because of email, no chatting with strangers in line at the post office and no getting neighborhood updates from our mail delivery person. With books magically falling onto our phones and computers, *ta-dah* to library visits and being shushed by that lovely librarian who always saved us the newest release from a favorite author. When we have Amazon, why stroll in a mall, window shop, and people-watch over lunch at a food court with a friend? We have packages left on doorsteps and soon will lose the chance to wave at a UPS delivery person, on the run to make the next "on time" delivery. Who wants to wave at a drone? Sigh.

The author of an article in *The New Yorker* magazine (October 28, 2019 – The Resistance), Jerome Groopman, examined habits, beginning with his habit of attachment to a smart phone. No surprise, we learn, that habits and routines are "driven by cues and rewards." Convenience and speed are rewards, I guess.

A Norman Rockwell scene for Thanksgiving? With children texting to each other while sitting side by side, no one learns to engage in conversation. With heads bowed over a blue-white glow of a smart-phone screen who remembers how to look another person in the eye? Without human contact we do not learn from each other, talk, or exchange ideas. This habit of using electronics may be convenient, but can we say we are grateful?

Hence my suggestion to make a Thanksgiving resolution. To address this electronics habit, we should all resolve to lose weight. Seriously, follow me on this.

As Groopman summarizes, luckily the real trick to break a habit is to replace it with another. (I'm getting to the diet part.) He tells of a man who gained weight because of going to a snack bar on his afternoon work break every day, purchasing a cookie and eating it. When the man realized his habit was "driven by a need for interaction and distraction," he substituted a visit with a fellow worker on break for the cookie purchase. He began to lose weight.

So that Thanksgiving resolution? Let's resolve to replace electronic habits with ways to again have human interaction. Resolve to chat with another human and lose that electronic weight. And be grateful for what you have done for yourself in the process.





Syracuse Small Acts

By: Colleen Gibbons, Esq.

The historian and professor Howard Zinn famously said: “We don’t have to engage in grand, heroic actions to participate in the process of change. **Small acts, when multiplied by millions of people, can transform the world.**” Everyone can engage in some sort of small act of kindness to help make our world a better place. It’s based on this concept that our second *Small Acts* feature was nominated: Faye Williams, Hiscock Legal Aid paralegal and Executive Director of the not-for-profit Baby Momma Association (“BMA”).

Faye became a paralegal in 2001 – she wanted to get involved because of personal connections to the justice system. Faye says, “A paralegal is a hand-holder -- when I give clients information they don’t know, or hand them over to an attorney who can help, it’s a rewarding, fulfilling thing. I just like helping people.”

Faye’s spirit of helping is not just limited to the office. Faye was a young mother; she had her first child at the age of 18. Faye said she was a “clueless baby momma.” When she moved to Syracuse in 2002, she wanted to help young mothers in need, like she had been – mothers who didn’t yet know how to parent or to maximize their resources. Faye thought about ways to help, and eventually decided to start BMA.



Step by step, little by little, Faye made a plan. Faye did what she could with very little resources, and then in 2017, Faye learned about a workshop which would provide training and seed money. Faye took advantage of the opportunity, filled out the application and started the training with Community



Featuring: **Faye Williams**

(Pictured above, in red)

Connections for Youth, an organization sponsored by the Onondaga County Department of Children and Family Services.

This led to the Journey to a Better Life Bootcamp, a six-month certificated program that affords young women an opportunity to connect with others in like circumstances. Throughout the program, women learn life and job skills, personal growth disciplines, and home-making skills. They attend weekly meetings on topics such as health, finances, and childrearing. Participants were picked up at home, received a hot meal, and daycare was provided onsite – the goal was to eliminate distractions so participants could take in all the information. Each participant sets goals and is assisted in formulating the steps necessary to reach those goals. Upon graduation, each woman is assigned a mentor who helps them stay on track and follow through with their customized plan.

Once again Faye and her team were afforded the opportunity to participate in The Learning Classroom (TLC) with CNY Community Foundation, which awarded BMA a grant to forward the vision of BMA.

This fall, Faye ran a six-week abbreviated boot camp at The Salvation Army, with a focus on networking, information, teaching, and instruction. Between eight to 12 women participated once a week. Many expressed a desire to participate in the boot camp that begins in January of 2020.

BMA has an entirely volunteer staff, and runs entirely on donations from its Board and broader community. It’s this commitment to community that keeps Faye going – she says that she sees others donate their time and money toward the growth of other young women who will then also give back, turning what could be a vicious cycle into a positive one.

One small act can improve the world for those around us. Do you know members of the legal community who should be featured here for their everyday deeds or small acts of kindness? Send me an email at cogibbons@nycourts.gov. I’d love to feature them!

CHARITABLE CONSIDERATIONS AS YOUR CLIENTS PREPARE FOR THE END OF THE YEAR

When it comes to planning of any kind, there is no time like the present! For clients who are still working to finalize their charitable giving for the year, there are a number of considerations to keep top of mind as **DECEMBER 31 DRAWS CLOSER:**

TO ITEMIZE OR NOT TO ITEMIZE?

The passage of the Tax Cuts and Jobs Act in 2017 increased the standard deduction for taxpayers and thus significantly reduced the number of people who qualify for itemization. If deductions are not itemized, the tax benefit of charitable giving is eliminated. But the gifts themselves are still eligible for deduction, and with proper planning that benefit can still be enjoyed by your clients.

OPEN A FUND

By using a donor-advised fund, your clients may be able to maximize the tax advantages of giving. **HOW IT WORKS:**

- **SET-UP.** Creating a donor-advised fund at the Community Foundation is simple. There is no setup fee.
- **MAKE A CONTRIBUTION; GET A TAX BENEFIT.** Your clients make a gift in the current year ("Gift Year") to a fund that is equal to their projected charitable giving over the next several years. This amount should be large enough to allow their total deductions to exceed the standard deduction for this Gift Year.
- **USE THE FUND.** Your clients can support the causes they care about – in Central New York and beyond – by recommending grants in any year they choose.
- **ADD MORE MONEY WHEN IT MAKES SENSE.** Your clients may add to their fund when their giving depletes it or in a year that they are able to itemize deductions.

APPRECIATED PROPERTY

As you review your clients' position at year-end, you may determine that additional charitable contributions would be prudent to limit their tax liability. **A NUMBER OF OPTIONS EXIST TO ACCOMPLISH THIS:**

- This might be a good opportunity to gift highly appreciated securities to avoid capital gains tax. Using these securities would minimize the cost of the gift.

- Your clients can gift appreciated stock and immediately repurchase the same stock. This would bump up the cost basis in a particular holding and allow your clients to diversify a holding while avoiding the capital gains.
- Encourage your clients to consider making a donation of art or other personal property to a charity that can use the property in its exempt function. For example, art donated for the purposes of display in a collection would be deductible at the art's appraised value, but for non-related use it is only deductible at cost basis.

REQUIRED MINIMUM DISTRIBUTIONS (RMDs)

When taking RMDs from retirement accounts, you can donate an amount to generate a charitable deduction that offsets the additional taxable income.

CHARITABLE IRA ROLLOVER

Your clients can transfer a gift from an IRA to charity without it being counted as income or being taxed. This is called a qualified charitable distribution (QCD), more commonly known as the Charitable IRA Rollover. In addition to being a tax-free rollover, the QCD can count toward your required minimum distribution in any given tax year if completed by 12/31. If you don't itemize, the QCD is an attractive alternative gift structure, especially for individuals looking to sustain or even increase giving as their cash-flow changes in retirement.

THERE ARE A NUMBER OF GIFTING STRATEGIES THAT COULD APPLY FOR EACH CLIENT SITUATION. Have this discussion prior to the end of the year so that if a charitable contribution is needed in 2019 there will still be time to make the gift.

DISCLAIMER: While we make every effort to ensure accuracy of this document, the information is not a substitute for expert legal, tax, or other professional advice, and we strongly encourage donors to work with counsel to determine what is appropriate in their particular situations. This information may not be relied upon for the purposes of avoiding any penalties that may be imposed under the Internal Revenue Code.



PRAGYA MURPHY
DEVELOPMENT OFFICER

IF YOU HAVE QUESTIONS OR WOULD LIKE TO DISCUSS A SPECIFIC SITUATION, PLEASE FEEL FREE TO CONTACT

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As philanthropic advisors, Pragma and her team can provide a comparison of charitable giving tools to ensure the optimal impact for you and your clients.

YOUR PET WANTS A PICTURE WITH SANTA!

When: Sunday, December 8, 2019

Time: 10:00 a.m. to 2:00 p.m.

Where: Shear Love at 5962 Rt 31 in Cicero (Aldi Plaza)

Pictures with Santa!

Raffles!

VALAC Swag!

Face Painting!



Volunteer Advocate
Lawyers for Animal
Abuse Court (VALAC)
is a not-for-profit
program through the
Onondaga County Bar
Association where
volunteer attorneys act
as animal law guardians
in animal cruelty cases.

Donations:
Please bring
donations of pet
toys, food, and
treats to help us
make shelter pets
happy this holiday
season!

HOSTED BY:

Shear Love Pet Grooming & VALAC



**Second
Annual!**

Community Engagement Committee Spotlight on:

Operation Soap Dish: Washing Away the World's Problems Since 2009

By: Sarah Reckess

Help a family in need this holiday season with a bar of soap, a new toothbrush, or a roll of toilet paper. This year, the Onondaga County Bar Association's Community Engagement Committee is collecting donations for Operation Soap Dish at the Annual Holiday Party on December 11th.

Operation Soap Dish works to collect and distribute toiletries and household cleaning supplies to Central New York food pantries, homeless shelters, the Ronald McDonald House, Vera House and Meals on Wheels –anywhere where these items are in short supply. In 2009, 4th grader Adeena Rochelson observed an empty shelf set aside for toiletry items at St. Lucy's Food Pantry and decided to fill it. She launched Operation Soap Dish to fill that shelf and many others; to date, Operation Soap Dish has distributed 50,000 items, with approximately 1,600 families reached every month.

SNAP (Supplemental Nutrition Assistance Program) benefits, also known as food stamps, provide families with modest funds to purchase food items; however, the Food and Nutrition Act of 2008 does not allow SNAP recipients to purchase toiletries or other household supplies with their benefits. As a result, many recipients of government assistance go without. Among the items that cannot be bought with food stamps are:

Toothpaste/brushes	Shampoo/Conditioner
Soap	Feminine Hygiene Items
Dish detergent	Razors/Shaving Cream
Toilet Paper	Laundry Detergent
Deodorant	Cleaning Solution (Windex, etc.)

Two collection bins will be available for the items listed above, one at the OCBA holiday party, and the second at the OCBA offices. If you would like to begin a collection at your office, please contact me, and I can organize a pick-up in mid-December. Once the Community Engagement Committee receives the donations, we will divide them among different charitable organizations based on need and space. Some organizations prefer travel size items, while others can accept full-size items, so either are welcome.

Check out the Operation Soap Dish website here: operationsoapdish.org or you can follow them on Facebook and Twitter. Thank you for your generosity!

Sarah Reckess is the director at the Center for Court Innovation's Syracuse office and a member of the OCBA Board of Directors. She can be contacted at (315) 266-4332 or sreckess@courttinnovation.org



THE PRACTICE PAGE:

OFFICIAL FEDERAL AND STATE REPORTERS

*Hon. Mark C. Dillon **

Our federal and state judiciaries decide matters based on the doctrine of *stare decisis*. *Stare decisis* can only be applied if the prior decisions of courts are accurate, complete, and available for review. Enter the publishers of the courts' official opinions.

In the early history of the U.S. Supreme Court, the bound volumes of the published decisions bore the last name of the court's reporter. The first reported opinion from the Supreme Court, for instance, *West v Barnes*, has an official citation of "2 Dall. 401 (1791)," meaning that Alexander Dallas was the reporter publishing that year's opinions, which was the court's second year overall, and the *West* case appears at page 401. Dallas published only some of the Supreme Court's earliest opinions, so others have no official citation. Dallas' successors over the years were William Cranch (1801-1815), Henry Wheaton (1816-1827), Richard Peters (1828-1842), Benjamin C. Howard (1843-1860), J.S. Black (1861-1862), John William Wallace (1863-1874), and William Tod Otto (1875-1883). The collection of volumes begins for each of them individually at Volume 1.

Dallas and his successors worked as independent contractors. They recorded the official records, publish the court's opinions, and earn money from the private sale of their publications. The practice ended in 1883 when the U.S. Reports began publishing official Supreme Court opinions, both prospectively and retroactively, and is the federal reporting system in place today. The U.S. Reports are prepared today not by independent contractors but by employees of West Publishing of Eagan, MN. The retroactive volumes of the U.S. Reports were numbered consecutively from the beginning of the Supreme Court's existence, so that there are parallel citations for the U.S. Reports and the individual reporters' publications for all years until 1883. *West v Barnes* can therefore be accurately cited as either "2 Dall. 401 (1791)" or "2 U.S. 401 (1791)." The volumes we know today as the Federal Reporter, Federal Supplement, and Bankruptcy Reporter, for the opinions of the Circuit, District, and Bankruptcy Courts, were first published in 1880, 1932 and 1980, respectively.

James Kent, a Justice of the New York Supreme Court of Judicature (as it was then known) and state Chief Judge from 1804 to 1814, was an advocate for an official statewide judicial reporting system. He observed, "When I came to the Bench there were no reports or state precedents.

The opinions of the Bench were delivered *ore tenus* [i.e., orally]."¹ As Chief Judge, Kent encouraged fellow state jurists to issue their decisions in writing so the writings could then be used as legal precedents. The Office of the State Reporter was established in 1804 with the appointment of George Caines as the state's first official reporter. The current head of that office, Cara Brousseau, is the 27th person to hold the title. In 1815, Caines' successor, William Johnson, published a digest organized by subjects to assist researchers in finding opinions of interest. Frank Shepard published citation annotators beginning in 1873, devising the system that came to be known as "shepardizing." The first series of the New York Reports appeared in 1847, followed by the Miscellaneous Reports in 1892 and the Appellate Division Reports in 1896. A single board oversaw all three publications as of 1917.² Effective in 1925, the state constitution was amended to direct that all judicial reporting be performed by a single State Law Reporting Bureau.³

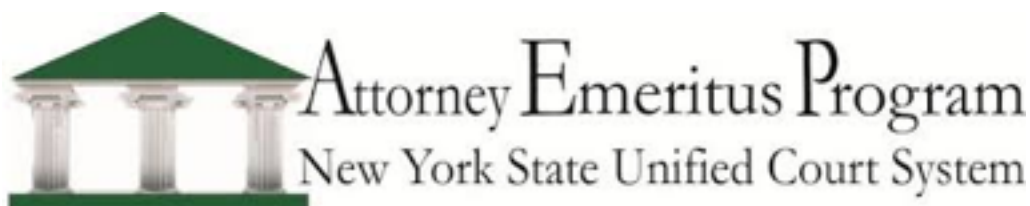
The use of official court reporting has crept into our procedural statutes. CPLR 5529(e) provides that when making citations, "New York decisions shall be cited from the official reports, if any. All other decisions shall be cited from the official reports, if any, and also from the National Reporter System if they are reported there." The language is derived from a similar rule that was promulgated in 1896 and carried down to present times. It is from these developments that the bench and bar today cite to the official state and federal reports when referencing cases, rather than referencing them by only their names, index or docket numbers, or by other means.

1. *But How Are Their Decisions to Be Known?*, <http://nycourts.gov/reporter/files/history.pdf>, p.13.

2. *Id.*, at 10, 12, 15-16.

3. L. 1924, ch. 173.

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



On December 2, 2019, the Feerick Center for Social Justice at Fordham Law School will celebrate the 10th anniversary of the Attorney Emeritus Program.

Former Chief Judge Jonathan Lippman established the Attorney Emeritus Program in 2010 at the suggestion of the Feerick Center for Social Justice. The program was designed to help New York residents with unmet civil legal needs who cannot afford legal counsel. Additionally, the program's goal was to increase the capacity of New York State legal service providers to meet the demand for free legal services.

To participate in the Attorney Emeritus Program, you must be at least 55 years old, have practiced law for 10 years,

be in good Bar standing, and be licensed to practice law in New York State. You can join the program whether or not you are retired; but if you are retired, your New York State bar registration fees, as well as your CLE requirements, are waived. Emeritus Attorneys who are assisting legal services providers also receive malpractice insurance coverage, as well as training and support.

Emeritus Attorneys commit to providing 60 hours of pro bono services over the course of two years, working with a Legal Service Provider they are matched with.

If you are interested in joining the Attorney Emeritus Program, please contact Casey Booth, the Upstate Coordinator, at cbooth@lawny.org or call 585-295-5646.

Lawyer Stories



Do you have a lawyer-related short story or anecdote to tell? About becoming a lawyer? A mentor experience? Your first day in a court? Help from a friend or relative in practice? A fun client experience (or "the client from hell")? Stories that are funny, sweet, nostalgic, appreciative, and heartfelt? Lawyer friendships?

Judith LaManna, author of the *Solvay Stories* series (and other books), working with the Onondaga County Bar Association and others, wants to collect your stories into a volume of such tales to share with others. The stories are to be short and will be subject to editing.

Look for more information in the next *Bar Reporter*. After the first of the year, Judith will start collecting contributions for *Lawyer Stories*.

Start remembering your favorite tales now.

The Monthly Newsmakers

VOLUME 64 NUMBER 10

NOVEMBER 2019

50 CENTS

COUNTY NEWS

Syracuse University

College of Law

SUCOL Announces Joanna Geraghty G'97, L'97 as 2020 Commencement Speaker



Syracuse University College of Law's 2020 Commencement is ready to take to the skies on May 8 when the College welcomes **Joanna Geraghty G'97, L'97** as

Commencement speaker. The ceremony will take place at 11 a.m. in the Goldstein Auditorium, Schine Student Center on the Syracuse University campus.

Geraghty is President and COO of JetBlue Airways, the sixth largest airline in the US and a Fortune 500 company, with a fleet of more than 250 planes, a workforce of more than 20,000 employees, and service to more than 100 destinations across the United States and internationally.

As President and COO, Geraghty oversees the airline's day-to-day operations, including customer experience, flight operations, technical operations, and commercial functions. A trailblazer in a traditionally male-dominated industry, Geraghty is the first female president at a large US airline since the early 2000s. Her job has been described as one of the most challenging in the airline industry.

A joint degree student at Syracuse, Geraghty received a master's in international relations from the Maxwell School of Citizenship and Public Affairs as well as her juris doctor degree. She joined JetBlue in 2005 as a litigation attorney, working her way up through the airline's legal department to Associate General Counsel and then leading the company's human resources team—what JetBlue calls the "Chief People Officer"—before becoming Executive Vice President of Customer Experience in 2014.

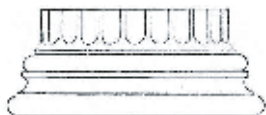
"Through her rise in a competitive industry, Joanne has never forgotten the value of a Syracuse law degree, citing it as important training for the problem-solving and leadership required in her high-profile career," says Dean Craig M. Boise. "I know Joanne is thrilled to return to her alma mater to join us on May 8, and I look forward to welcoming her back to Syracuse and to hearing—alongside members of the Class of 2020 and their parents and friends—a memorable and inspiring Commencement address."

About Syracuse University College of Law
Founded in 1895, Syracuse University College of Law offers a forward-leaning, rigorous legal education. The College's classroom and practical curriculum ensures that graduates have the knowledge, discipline, and analytical skills to succeed in the 21st-century legal profession and related fields. The College promotes the development of law and justice by engaging in creative legal scholarship and by participating in local, national, and international legal communities. law.syr.edu

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Syracuse University

Institute for Security Policy and Law

Newly Re-Named Syracuse University Institute for Security Policy and Law Expands Mission Toward Emerging Technologies, Intelligence Community

Syracuse University Institute for Security Policy and Law (SPL) (<http://securitypolicylaw.syr.edu>) is the new name for the Institute for National Security and Counterterrorism (INSCT), a collaboration between the Syracuse University College of Law and the Maxwell School of Citizenship and Public Affairs.

Founded by Professor of Law Emeritus William C. Banks in 2003, the Institute has its roots in the global response to terrorism in the wake of the Sept. 11, 2001, attacks. It has since expanded to work across the Syracuse University campus and beyond on a wide spectrum of national and international security topics, including homeland security, the law of armed conflict, violent extremism, postconflict reconstruction, disaster response, the rule of law, veterans' affairs, critical infrastructure, cybersecurity, and emerging technologies.

The Institute's new name and identity reflect this growth in topics and activities, and it acknowledges the Institute's longstanding flexibility in addressing evolving security challenges—both within the United States and around the world—through interdisciplinary research, teaching, public service, and policy analysis.

The Syracuse University Institute for Security Policy and Law is led by the Hon. James E. Baker, former Chief Judge of the US Court of Appeals for the Armed Forces, and former Legal Adviser to the National Security Council. The Institute's Deputy Director is Vice Admiral Robert B. Murrett (Ret.), former Director of the US National Geospatial-Intelligence Agency and former Director of Naval Intelligence.

"Our new identity recognizes the essential interdisciplinary nature of contemporary security challenges," says Judge Baker. "As the Syracuse University Institute for Security Policy and Law, we continue our mission to conduct leading-edge policy

and law research and analysis across disciplines and to educate and inspire the next generation of security thought-leaders and practitioners."

"A prime mover in national security policy and law for more than 16 years, the re-positioned Syracuse University Institute for Security Policy and Law is poised for the future," says Dean Craig M. Boise, College of Law. "I am particularly excited about the Institute's expansion into emerging technologies, the private practice of security, and diversity in the intelligence community. These changes are transforming the workplaces our students are entering. By staying abreast of these trends, the Institute is and will remain a premier training ground for future practitioners across all security sectors."

"This new identity change reflects the expansive ways in which policy, law, and governance intersect a broad array of issue areas that shape not just US national security but human security around the world," says Dean David M. Van Slyke, Maxwell School. "As a top-ranked research institution, Syracuse University provides boundless opportunities for us to explore these intersections across campus."

SPL's growing subject-matter expertise and diversity is evident in the range of sectors that the Institute's certificate program graduates work across, in the national and international security community, for US and foreign governments, international humanitarian organizations, the intelligence community, public health agencies, the private sector, think tanks, and NGOs. Alumni serve in all five branches of the US military.

SPL offers three interdisciplinary certificates of advanced study, in Security Studies, National Security and Counterterrorism Law, and Postconflict Reconstruction. It has graduated more than 700 students from its academic programs since 2003.

The first award is a research and production partnership with the Georgetown University-based Center for Security and Emerging Technology (CSET). As part of the \$500,000 agreement, SPL will assist CSET in investigating the legal, policy, and security impacts of emerging technology; supporting academic work in security and technology studies; and delivering nonpartisan analysis to the law and policy community. Judge Baker is the grant's Primary Investigator.

In the second, federal award, Syracuse University was named as a US Intelligence Community Center for Academic Excellence (ICCAE) with total support for the new program up to \$1.5 million over five years. Known as the Partnership for Educational Results/Syracuse University Adaptive, Diverse, and Ethical Intelligence Community Professionals (PER/SUADE), Syracuse University is leading a consortium of universities and colleges to recruit and educate talented, diverse students interested in public service careers in the intelligence and national security fields.

The grant's goal is to help diversify the US government's intelligence and national security pipelines. The program is open to all Syracuse University students—graduate and undergraduate—from all schools and colleges, as well as partner schools (Wells College, the Grove School of Engineering at the City College of New York, John Jay College of Criminal Justice, and Norfolk State University). PER/SUADE's Primary Investigator is Vice Admiral Murrett and Judge Baker is the Co-Primary Investigator.

Multiple University faculty are helping to design the program as co-investigators, including the SPL Director of Research Corri Zoli and faculty from the College of Law, Maxwell School, College of Arts and Sciences, Institute for Veterans and Military Families, College of Engineering and Computer Science, University College, and elsewhere.

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Barclay Damon Named to 2020 US News & World Report – Best Lawyers® “Best Law Firms” List

Barclay Damon has received a First Tier ranking in five metropolitan regions and 12 practice areas in the 2020 US News & World Report – Best Lawyers® “Best Law Firms” list.

Barclay Damon received the ranking in the following metropolitan regions and practice areas:

Albany

- Real Estate Law

Boston

- Eminent Domain and Condemnation Law

Buffalo

- Banking and Finance Law
- Commercial Litigation
- Corporate Law
- Eminent Domain and

- Condemnation Law
- Employment Law – Management
- Health Care Law
- Land Use & Zoning Law
- Mass Tort Litigation / Class Actions – Defendants
- Real Estate Law
- Trusts & Estates Law

Rochester

- Eminent Domain and Condemnation Law
- Personal Injury Litigation – Defendants

Syracuse

- Commercial Litigation
- Employment Law – Management
- Labor Law – Management
- Real Estate Law

The rankings are based on a rigorous evaluation process that includes the collection of client and lawyer evaluations, peer review from leading attorneys in their field, and review of additional information provided by law firms as part of the formal submission process. To be eligible for a ranking in a particular practice area and metro region, a law firm must have at least one lawyer who is recognized in Best Lawyers in that practice area and metro.

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Aleece Burgio Named Cannabis Team Leader



Barclay Damon announces **Aleece Burgio**, special counsel, has been named as the firm's new cannabis team leader. In this role, she will lead and oversee multi-disciplinary team

members in counseling clients across the full spectrum of cannabis-related legal issues.

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. Her primary focus is structuring, licensing, and maintaining compliant cannabis businesses at the local, state, and federal levels. Outside the firm, Burgio serves as co-chair of the New York State Bar Association Committee on Cannabis Law.

"Aleece has been an invaluable asset on our cannabis team, using her deep industry knowledge and experience to successfully assist clients navigating this new regulatory terrain and emerging business environment," John Langan, the firm's managing partner, said. "We are thrilled that she accepted the new leadership position, and we are confident that she will drive our innovative practice forward to best

support our clients' needs as the cannabis field continues to grow and evolve."

Barclay Damon's cannabis team launched in July 2018, with its members having nearly a decade of cannabis-specific experience.

Barclay Damon attorneys team across offices and practices to provide customized, targeted solutions grounded in industry knowledge and a deep understanding of our clients' businesses. With 300 attorneys, Barclay Damon is a leading law firm that operates from a strategic platform of offices located in the Northeastern United States and Toronto. For more information, visit our award-winning website at barclaydamon.com.

Barclay Damon's Redesigned Website Wins Gold in International Competition

Barclay Damon is pleased to announce its redesigned website received a gold award from the Academy of Interactive and Visual Arts (AIVA) as part of the 14th annual W³ Awards.

Receiving over 5,000 entries from across the globe, the W³ Awards honors "outstanding websites, web marketing, web video, mobile sites, apps, and social content by some of the best interactive agencies, designers, and creators

worldwide." Website entries were judged on creativity, usability, navigation, functionality, visual design, and ease of use, and less than 10 percent of all W³ entries were selected as gold.

The W³ Awards are sanctioned and judged by AIVA, an invitation-only body consisting of top-tier executives from acclaimed media, interactive, advertising, and marketing firms, including executives from Wired, Disney,

Microsoft, Facebook, Tinder, MTV, and Yahoo!.

"Our new website uses the most current technology and creative design features to help visitors quickly get the information they are looking for, and it expresses who we are, what we value, and the kind of experience you'll have working with us. It is very gratifying to receive this W³ award that publicly honors our innovative, contemporary, user-friendly website that the firm is extremely proud of," John Langan, the firm's managing partner, said.



At our November Board Meeting, the Crouse Health Foundation surprised Trustee **Larry Bousquet** with the Margot Northrup Award. The award was established in 2004 to recognize extraordinary service by selected board volunteers who emulate the vision and commitment of the late Margot Northrup, the Foundation's first president. Mr. Bousquet, a current Trustee and former board chair, was selected for his expert leadership; legal, worldly, and common sense guidance on many initiatives; and his hands-on assistance with special projects.

Bousquet Receives Margot Northrup Award



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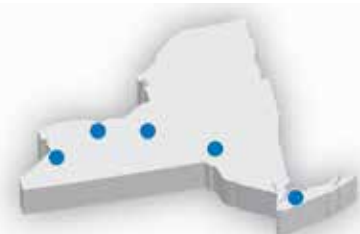


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THE FAMILY OF CRAIG TYFAIR SEEKS HIS LAST WILL & TESTAMENT

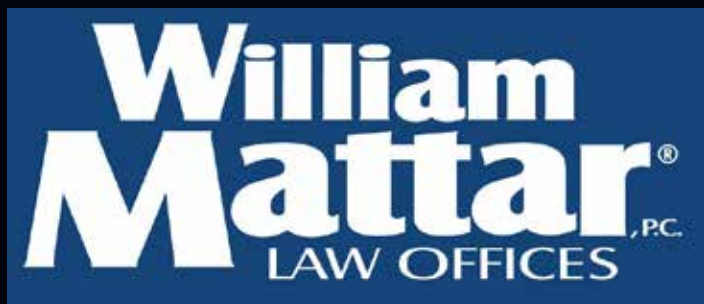
Did you craft a Last Will and Testament for Craig A Tyfair? Are you the recipient of the files of the lawyer who might have? His family is seeking to locate those documents. Mr. Tyfair was born March 30, 1943 and resided at 8307 Sandra Ave., Cicero, NY 13039. Mr. Tyfair retired from Henderson & Johnson Construction, 918 Canal St., Syracuse and belonged to the Carpenters Union. If you have information regarding this matter, please contact his eldest daughter Tammy Johnson, 3660 Sailfish Lane, Baldwinsville, NY 13027. Mobile, 315-663-7632, alternate contact 315-409-4384.

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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.



OFFICE OF PERSONNEL & LABOR RELATIONS

CITY OF SYRACUSE, MAYOR BEN WALSH

JOB POSTING

PLEASE POST ANNOUNCEMENT

Qualified City employees are invited to apply for the following job vacancy. Application and/or resume should be submitted to Margaret Chajka—City Hall, Room 312, **no later than December 5th, 2019.**

CITIZENS REVIEW BOARD(CRB)

Legal Secretary I

Grade 8

\$36,904-\$41,427

DISTINGUISHING FEATURES OF THE CLASS

The work involves responsibility for the performance of secretarial functions and routine legal clerical tasks designed to assist a staff of attorneys in the Law Department, a Legal Division, or the District Attorney's Office. An employee in this class prepares and types confidential legal documents including briefs, petitions, motions, orders, opinions, notices, and other legal correspondence. The work is performed in accordance with general instructions regarding objectives, policies, and procedures. Supervision is not a function of this class. General supervision is received from an attorney or administrator. Does related work as required.

TYPICAL WORK ACTIVITIES

- Answer the telephone, take messages, and inform the Administrator of all calls received.
- Maintain a log of the nature of the calls received for the CRB and other departments.
- Greet all visitors that come to the CRB office and inform the Administrator of all visitors.
- Maintain a log of the discussions with all visitors.
- Open new case files and enter information on the master case list.
- Input case related data into IAPRO.
- Draft acknowledgement and receipt letters to complainants.
- Create Monthly Hearing Availability Calendar for Board members.
- Draft letters to complainants and witnesses when hearing has been scheduled.
- Draft No Hearing letters to Complainants and Officers.
- Review Common Council Agenda regularly to determine the need for a representative from the Citizen Review Board (CRB) needs to attend based on discussions related to public safety and the Syracuse Police Department (SPD).
- Review the CRB website weekly to ensure the website is updated appropriately with meeting minutes, agendas, member terms, biographies, and outreach activities and materials.

Donna D. Briscoe
Assistant Director

Office of Personnel & Labor Relations

233 E. Washington St
City Hall, Room 312
Syracuse, N.Y. 13202

Office 315 448-8780
Fax 315 448-8761

www.syr.gov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.



OFFICE OF PERSONNEL & LABOR RELATIONS

CITY OF SYRACUSE, MAYOR BEN WALSH

- Schedule appointments for the public to come in and file complaints in the CRB office, residence, or any other location.
- Draft enclosure letters to request medical records from hospitals, correctional facilities, and clinics.
- Follow-up on medical record request.
- Review Court Dockets related to cases involving the SPD in State, Federal, and Circuit Courts.
- Review news outlet media publications related to the CRB and SPD.
- Review and Update the CRB Social Media pages to reflect meetings, outreach events, etc.
- Maintain the necessary/required media logs.
- Maintain the CRB email account and advise Administrator of emails received, etc.
- Review letters drafted by Administrator for typographical and grammar errors.

MINIMUM QUALIFICATIONS:

A. Graduation from a regionally accredited college or university or one accredited by the New York State Board of Regents to grant degrees with an Associates Degree in Secretarial Science or a closely related field and one (1) year of work experience, or its part time equivalent, in a legal environment, which must have included typing or word processing of letters and documents; or,

B. Three (3) years of work experience, or its part time equivalent, which must have included typing or word processing of letters and documents, one (1) year which must have been in a legal environment; or,

C. An equivalent combination of education and experience as described in A or B.

Special Note:

Possession of a Paralegal Certification will be deemed equivalent to one (1) year of work experience, or its part time equivalent, in a legal environment.

THIS IS A COMPETITIVE CIVIL SERVICE POSITION. APPOINTMENT WILL BE MADE ON A PROVISIONAL BASIS UNTIL THE EXAM RESULTS ARE POSTED. YOU MUST BE REACHABLE FOR PERMANENT APPOINTMENT.

The Affirmative Action Policy of the City of Syracuse is to provide equal employment opportunity for all individuals regardless of race, color, sex, religion, creed, age (18 and over), marital status, national origin, disability, veteran status, gender identity or gender expression, sexual or affectional preference or orientation, or any other classified group within the protected class. The City also complies with 31 CFR part 51. If you have a disability for which you wish special accommodation to be made, contact the Department of Personnel at City Hall, Rm 312 at 448-8780.

The City of Syracuse may conduct a criminal background check with regard to the employment sought.

EQUAL OPPORTUNITY EMPLOYER

20-Nov-19

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



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.



Edward D. Carni
Associate Justice

New York State Supreme Court
Appellate Division, Fourth Department

Onondaga County Courthouse
401 Montgomery Street, Room 409
Syracuse, New York 13202

November 15, 2019

315-671-1108
(Fax) 315-671-1177

John T. McCann, Esq.
Hancock & Estabrook
1500 AXA Tower 1
Syracuse, New York 13202

Oswego County Bar Association
ATTN: Annalise Marie Dykas, President
P.O. Box 5453
Oswego, New York 13126

Re: Hon. James K. Eby

Dear Bar Presidents:

Hon. James K. Eby has applied to be designated as a Judicial Hearing Officer in the Fourth Judicial Department. The Rules of the Chief Administrator provide for the evaluation of every applicant by the Fourth Department Selection Advisory Committee prior to the initial designation as a Judicial Hearing Officer. The criteria for evaluating candidates for Judicial Hearing Officer designations are set forth in 22 NYCRR Part 122.2 (f). These criteria include competence, work ethic, experience and judicial temperament.

The Selection Advisory Committee requests that you, as Presidents of the Onondaga and Oswego County Bar Associations, consult with your membership to solicit comments to assist you with providing input to this Committee as part of the evaluation process.

It would be greatly appreciated if you could provide written comments on or before Friday, December 6, 2019. In the event you do not receive feedback from your bar members despite soliciting comments, please be sure to meet the deadline in notifying me of same in the form of a letter either on your law office or bar association letterhead.

Very truly yours,

Hon. Edward D. Carni
Selection Advisory Committee Chair

EDC/eg



OCBA CONTINUING LEGAL EDUCATION

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

Eminent Domain and I-81: What Does this Road Ahead Look Like?

Presenters:

Michael A. Fogel, Esq.

Patrick D. Donnelly, Esq.

of Brown, Duke & Fogel,

P.C. Kathleen Joy, Esq.

New York State Dept. of Transportation



This **FREE** CLE seminar wraps up a 3-part Discussion Series on proposed changes to I-81 – the major thoroughfare that runs through Syracuse. Update your knowledge of the laws and statutes relative to Eminent Domain when you register for this course.

1.0 MCLE (Professional Practice)

Wednesday, December 4th 4 to 5:30 p.m.
CNY Philanthropy Center, 2nd Floor Ballroom
431 East Fayette St., Syracuse NY 13202

Light refreshments served.

This CLE is appropriate for all level of attorneys, established and newly admitted. You could mail this to us, but this is coming up soon so register for this CLE at www.onbar.org.

This CLE is brought to you by the OCBA Community Engagement Committee.

Eminent Domain and I-81 | Wednesday, December 4, 2019

This seminar is FREE for everyone!

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____

ONONDAGA COUNTY BAR ASSOCIATION | 431 East Fayette St. | Syracuse, NY | 13202

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