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THE BAR REPORTER

The Newsletter of the Onondaga County Bar Association



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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.



In Memoriam

Henry "Hank" Sobota

Stephen Johnson

Kathleen Stevenson

David B. Jones

Walter R. Christy

Edward Z. Menkin



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The 1,200-member Onondaga County Bar Association was founded in 1875. Among its purposes are: to maintain the honor and dignity of the profession of law; to promote suitable reforms and necessary improvements in the law; to facilitate the administration of justice; and, to elevate the standards of integrity, professional competence, and courtesy in the legal profession.

Upcoming Events

Wed, April 27	Noon to 1 p.m.	CLE Helping Non-Citizen Women Navigate our Court System
Thu, April 28	Noon to 2 p.m.	CLE Debt Defense 202
Thu, April 28	5 to 7 p.m.	Reception Honoring Retired Judiciary CNYCF Ballroom, 431 E. Fayette St.
Thu, May 12	5:30 to 7:30 p.m.	Bond Schoeneck & King Series on Race & Justice in Central New York CLE & Panel Discussion Invisible Under the Law: Racial Injustice & Bias Against AAPI Communities

Would you like to learn more about these events? Contact Carrie Chantler for more information about how to become involved at cchantler@onbar.org or call 315-579-2578



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Letter from the PRESIDENT



Dear Members,

As we finally have some sunshine, I hope everyone can get out and enjoy it.

Last week we had our first in-person meeting in almost two years!! Our Annual Meeting was held on April 7th in the Courthouse's County Legislative Chambers. I was honored to swear in the new officers and directors whose terms begin on June 1st. Congratulations!! We heard remarks from President-Elect Graeme Spicer and his hopes and goals for the upcoming year. We both hope that the OCBA can bring more in-person events to the bar, and we miss the social and networking aspects of our membership.

Nonetheless, we still had a busy year despite COVID restrictions. Our members have enjoyed networking with our local legal community at our monthly Breakfast at the Bar gathering hosted with the Central New York Women's Bar Association.

Our committees have been productive and have been able to enjoy the recent return of in-person events. We just had VALAC's recruit and refresh at Shaughnessy's to update everyone on that program and enlist volunteers.

Our race and justice series continues to be very active with amazing programming. I want to thank BOND, Smith Sovik, and Sugarman for their continued support of this initiative.

Important to my presidency was increasing the number of CLEs offered and ensuring we provided diverse programming. I am happy to report we have had 43 CLEs this year, 20 of which were in-person, with many more on the calendar in the upcoming months. Continuing legal education is a valuable benefit of our membership.

We are excited to honor the retired judges of the Fifth Judicial District and Onondaga County and City Courts from the past few years with a reception on April 28th. We will be honoring those judges that retired in 2020, 2021 and those judges who have already retired in 2022. It has been over two years since we have been able to celebrate our retired judiciary's service to the community, and we look forward to this upcoming celebration.

Finally, we will host our annual dinner on May 19th at the Hotel Syracuse, which was postponed from its original date in October. Our annual meeting will look a little different this year because of COVID, but I promise it will be a great event! As always, we look forward to honoring our next distinguished Lawyer.

Stay safe and healthy,

A handwritten signature in black ink that reads "Danielle M. Fogel". The signature is fluid and cursive.

Hon. Danielle M. Fogel

Past Presidents of the Onondaga County Bar Association

As we look forward to this new year, we thought you might enjoy the opportunity to look back at the 147-year history of your Onondaga County Bar Association at those members of our legal community who have led this organization as its President. How many of these names and colleagues do you recognize?

1875-1877 William C. Ruger	1954 William B. Mangin	2000 Walter P. Bowler
1878 Daniel Pratt	1955 Stuart F. Pomeroy	2001 Michael A. Klein
1879-1880 George N. Kennedy	1956 Laurence D. Wood	2002 Donald C. Doerr
1881 Irving G. Vann	1957 Albert Orenstein	2003 Joanne E. Michaels
1882 John C. Hunt	1958 John B. Tuck, Jr.	2004 George P. Alessio
1883-1884 Henry Riegel	1959 Hubert C. Stratton	2005 Thomas E. Myers
1885-1890 Henry Riegel	1960 George B. Peluso	2006 Ellen S. Weinstein
1891-1902 William P. Goodelle	1961 Egbert L. Wildman, Jr.	2007 David M. Pellow
1903-1909 Theodore E. Hancock	1962 Walter T. Gieselman	2008 Stuart J. LaRose
1910-1911 William Nottingham	1963 A. Van W. Hancock	2009 Neil M. Gingold
1912-1913 Jerome L. Cheney	1964 G. Everett DeMore	2010 Marion Hancock Fish
1914-1915 George W. O'Brien	1965 Neal P. McCurn	2011 Gioia A. Gensini
1916-1917 David F. Costello	1966 N. Harold Dwyer	2012 Mary John
1918-1919 Frank B. Hodge	1967 Louis Young	2013 Nancy L. Pontius
1920 David A. Pierce	1968 David A. Fraser	2014 Nicholas J. DeMartino
1921 Louis L. Waters	1969 James Sullivan	*2015-2016 Jean Marie Westlake
1922-1923 William Mackenzie	1970 Saul H. Alderman	2016-2017 James A. Williams
1924-1925 H. Duane Bruce	1971 Hilbert I. Greene	2017-2018 Hon. James P. Murphy
1926 Alexander H. Cowie	1972 Robert W. Dettor	2018-2019 John T. McCann
1927 Neal Brewster	1973 Thomas H. Dyer	2019-2020 Aaron J. Ryder
1928 Harold N. Van Bergen	1974 Taylor H. Obold	2020-2021 Paula Mallory Engel
1929 Edmund H. Lewis	1975 Raymond W. Hackbarth	2021-2022 Hon. Danielle M. Fogel
1930 Frank H. Hiscock	1976 Alan J. Goldberg	
1931 John F. Nash	1977 John J. Dee	
1932 Horace M. Stone	1978 Sidney Devorsetz	
1933 Willis H. Michell	1979 Philip J. Britt	
1934 Crandall Melvin, Sr.	1980 William E. Sugnet	
1935 Lewis C. Ryan	1981 Raymond J. de Silva, Jr.	
1936 L. Earl Higbee	1982 James F. Dwyer	
1937 Clifford H. Searl	1983 John E. Schaffer	
1938 Francis D. McCurn	1984 Carl W. Peterson, Jr.	
1939 Benjamin E. Shove	1985 Thomas V. Dadey	
1940 George R. Fearon	1986 Dennis R. Baldwin	
1941 Keith F. Driscoll	1987 M. Catherine Richardson	
1942 Truman H. Preston	1988 Howard J. Woronov	
1943 Caleb Candee Brown, Jr.	1989 M. Mark Grobosky	
1944 Myron S. Melvin	1990 George H. Lowe	
1945 John H. Bachman	1991 Robert A. Small	
1946 Edward T. Schoeneck	1992 Kevin M. Reilly	
1947 John H. Hughes	1993 George S. Deptula	
1948 Irving J. Higbee	1994 William F. Dowling	
1949 Stewart F. Hancock, Sr.	1995 Marc Waldauer	
1950 Paul R. Shanahan	1996 Harlan B. Gingold	
1951 William F. Fitzpatrick	1997 Joseph L. Lucchesi	
1952 Gordon H. Mahley	1998 David M. Hayes	
1953 Richard Aronson	1999 Ralph E. Coleman	

*Note: In 2016, OCBA changed its program year to June 1st – May 31st.



**Bond, Schoeneck & King Series on
Race and Justice in Central New York**

presents

**Invisible Under the Law:
Racial Injustice & Bias
Against AAPI Communities**

Please join us for this **important** CLE webinar & panel discussion of today's anti-Asian violence within the context of our nation's history of anti-Asian laws, and what we each can do to make positive changes in our community **today**.



WHEN: 5:30 to 7:30 p.m. Thursday, May 12th

FREE & Open to the General Public

**Attorneys receive 1.0 CLE credit in the area of
Diversity Inclusion & Elimination of Bias**

VIA ZOOM & You Tube livestream

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**Asian American
Bar Association
of New York**





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OCBA 2022 Annual Meeting

On Thursday, April 7th in the Onondaga County Legislative Chambers the Onondaga County Bar Association welcomed a new class of officers sworn in by current OCBA President the Hon. Danielle M. Fogel to lead the bar association through 2022-23 and new members to 3-year terms of service on the Board of Directors.

OCBA Officers

2022 to 2023

President	Graeme Spicer
President-Elect	Martin A. Lynn
Vice President	Laura L. Spring
Treasurer	Sarah C. Reckess
Secretary	Jimmie C. McCurdy

OCBA Directors

June 1, 2022 to May 31, 2025

Samantha A. Aguam
Amy D'Ambrogio
Bradley E. Keem
Mary E. Langan
Anthony A. Marrone II
Megan P. Peter
Samantha C. Riggi
Hon. Derek T. Thomas

Under the OCBA bylaws, Graeme Spicer, the 2021-22 President-Elect automatically becomes the President of the Association on June 1, 2022, and Hon. Danielle M. Fogel serves as the Immediate Past President. Hon. James P. Murphy will serve in an ex officio capacity as 5th J.D. Vice President on the Executive Committee of the New York State Bar Association's House of Delegates.





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Breakfast at the Bar

One of OCBA's favorite initiatives is collaborating with the Central New York Women's Bar Association on the Breakfast at the Bar.

Once a month, typically on a Tuesday morning at 8 a.m., all members of each bar association are invited to gather in downtown Syracuse's trendiest spot -- the coffee bar at the Salt City Market at 484 S. Salina Street.

Meet old friends, make new ones, talk shop and have a hot beverage and network a bit before the workday begins.

See how delightful? Look at these smiling faces. See you next time!

THE PRACTICE PAGE

THE INGREDIENTS OF DECISIONS & ORDERS

HON. MARK C. DILLON

We have all seen episodes of *Law and Order* where in judge's chambers the defense attorney makes a 10-second oral motion to suppress a key piece of evidence, which the prosecutor opposes during the next 10 seconds. The judge then orally decides the motion by suppressing the evidence, requiring the police to uncover more evidence that might arrive in a nick of time for trial. Suppression is granted by the court without citation to any cases, without a stenographer, and without paper. While the program is entertaining, the procedural violations are horrendous and as numerous as the Emmy Awards the show has won.

A "decision" resolves a motion issue, but only an "order" directs a party to act upon the decision. Only orders and judgments are appealable (CPLR 5501[a]). CPLR 2219(a) defines the six ingredients that a trial court's "order" must contain to be valid, enforceable, and appealable: 1) a writing, so that parties cannot later dispute what was decided, 2) the judge's signature or initials, 3) the date, to assure its execution after the receipt of all relevant papers and to memorialize administrative history, 4) the identity of the court to assure its subject matter jurisdiction over the controversy and to identify the appellate court to which an appeal lies, 5) a recitation of the papers reviewed, which defines the scope and completeness of the record, and 6) "the determination or direction in such detail as the judge deems proper," meaning some discussion, reasoning, and resolution (CPLR 2219[a]; *Charalabidis v Elnagar*, 188 AD3d 44). A court rule applicable to Supreme and County Courts also directs that "[u]nless the circumstances require

settlement of an order, a judge shall incorporate into the decision an order effecting the relief specified in the decision" (22 NYCRR 202.8[g]). Orders must conform to the underlying decision, and any conflict between the two is resolved in favor of the decision (*Scheuring v Scheuring*, 27 AD3d 446). The order is not enforceable or appealable until it is entered (*Skolnik v Metro-North Commuter R.R.*, 13 AD3d 350).

If a court renders a decision only and directs its settlement, the decision can be converted into an order by the execution of a proposed order with notice of settlement. Such proposed orders must be submitted within 60 days of the date of the decision, otherwise the underlying motion is deemed abandoned absent good cause shown (22 NYCRR 202.48[b]; *Funk v Barry*, 89 NY2d 364).

Jurists will occasionally render oral decisions from the bench in open court, on the stenographic record. Oral decisions are expedited and may sometimes occur in matters involving injunctions, pendente lite relief in matrimonial actions, eve-of-trial applications, framed-issue hearings, and actions involving trial preferences (*Charalabidis v Elnagar*, supra, at 51). In those instances, the stenographic transcript becomes the written version of the decision. Jurists must assure that the transcript contains all the ingredients required by CPLR 2219(a), including a verbal recitation of the papers reviewed, and by obtaining the transcript for signature or initialing. It is the judge's responsibility to assure that the transcribed decision also contains the decretal language that makes it an order. If any CPLR 2219(a) information is missing from the transcript, counsel should provide the judge with

Continued from previous page

the transcript and a proposed order with notice of settlement to all parties (NYCRR 202.48[a]). At that point, the transcript with its accompanying order may be entered for enforceability and appealability.

In the rare circumstance where a judge fails or refuses to sign a So Ordered stenographic transcript or an order presented with notice of settlement, thereby depriving a party of appealable paper, the remedy is an Article 78 mandamus to compel the performance of the ministerial judicial task (CPLR 7801; Matter of Legal Aid Socy. of Sullivan County v Scheinman, 53 NY2d 12). While attorneys are understandably reluctant to ever undertake such a step, the interests of the client may dictate it, and typically the Article 78's mere filing resolves the problem. Any mandamus must be commenced within four months from the court's refusal to perform its duty (CPLR 217[1]).

By following all of these rules, both the bench and the bar avoid the procedural violations seen weekly on Law and Order.

APPEALS

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John A.
CIRANDO
Attorney at Law

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We APPEAL To You



** Mark C. Dillon is a Justice of the Appellate Division, 2nd Dept., an Adjunct Professor of New York Practice at Fordham Law School, and a contributing author of CPLR Practice Commentaries in McKinney's.*



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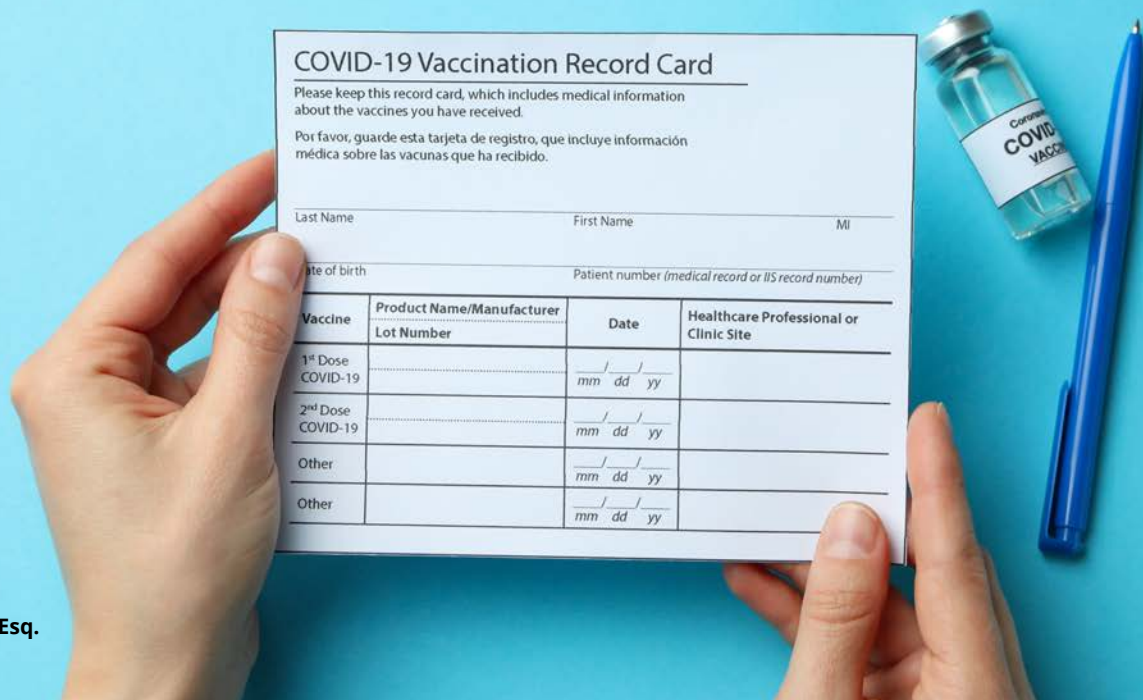
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Please direct all cover letters and resumes to: lreedy@ccf-law.com

“Truth in Vaccination” Bill Seeks to Improve State Response to False Vaccination Records



by Zachariah Zallo, Esq.

On December 22, 2021, Governor Kathy Hochul signed a package of legislation focused on improving New York’s response to the continued threat of the COVID-19 pandemic. While much of the legislation was targeted at getting New Yorkers vaccinated, one of the most crucial aspects of the bill makes the falsification of COVID-19 vaccination records a crime (NY Penal Law §170.05).

With the reports of record sales for fake vaccine cards among many high-profile athletes, medical professionals, and NYPD officers, it is no surprise that authorities would hurry to address this ever-growing crisis. However, as these crimes have continued to spread around the state, many New Yorkers are curious as to how this new legislation will help businesses and the general public stay safe amid the growing number of COVID cases across the state due to the Omicron variant.

So what punishments are being leveraged against those who do choose to misrepresent their vaccination history?

Effective immediately, the forgery or falsification of any COVID-19 vaccination cards is now considered a class A misdemeanor. For the sake of the forgery statute, a COVID vaccination card is considered to be a written instrument, which is a crime punishable by up to one year in jail or potentially three years of probation. Even if you were not the one to physically make or tamper with the card, carrying a written instrument that you know contains false information and presenting it in public can still make you liable for Criminal Possession of a Forged Instrument. Things only begin to compound if you choose to present it to a government agency or an employer database so you can get back to work or obtain an Excelsior Pass. If this situation were to occur, you will have also committed Falsifying of Business Records and Offering a False Instrument for Filing.

Continued on next page.

However, this bill does not just cover physical cards, as it is also now considered a class E felony to tamper with any computer materials relating to your vaccination status (NY Penal Law §156.25). While the bill doesn't specifically spell out what is considered tampering or not, the governor's office released a statement summarizing that any "intentional entering, alteration or destruction of 'computer material' regarding COVID-19 vaccine provisions" would be examples that could be grounds for a case. I expect that there could be some nuanced issues regarding the definition of computer material in future vaccine fraud cases. Regardless, class E felonies can be punished with up to four years in prison, so authorities are hoping that this new bill will serve as a strong deterrent to prevent people from lying or tampering with their vaccination status.

What effects will this have moving forward?

While New York has already begun to crack down on those who have been selling or carrying these fake vaccination cards with this bill having been passed, I expect many of these cases to be more open and shut as New York looks to put its foot down on the recent increase in fake vaccine cards. No matter what your stance is on the vaccine, however, it is important to know that if you purchase or alter any of your vaccine information, you may very well end up being prosecuted to the full extent of these new laws. Even outside of the potential jail time, the consequences of a felony conviction can be detrimental to your personal and professional life.

If you do find yourself in this situation, it is important that you respectfully remain silent and ask to consult with experienced legal counsel immediately. Don't think you'll be able to talk yourself out of it alone. With your personal and professional life at stake, it's important to give yourself every advantage should you end up in this position.

A native of Syracuse, Zachariah has worked as a criminal defense lawyer focusing mainly on DWI defense from the misdemeanor to the felony level. He can be reached at (315) 492-4700 or at info@tullylegal.com.



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A DAY IN THE LIFE OF A REAL ESTATE COUNSEL

In this legal role, you will be a Member of Real Estate Committee which is responsible for the daily management and operation of a real estate portfolio of 15 commercial properties in New York and Massachusetts, consisting of approximately 17 million square feet of leasable space. Responsibilities include drafting, negotiating and reviewing leases, contracts, licenses, easements, and related documents, with local, regional and national tenants. You will interpret and provide legal analysis of commercial real estate legal documents. You will advise asset management staff on commercial leasing and landlord/tenant issues.

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- Ability to manage a high volume of legal matters in a fast-paced work environment.
- Strong interpersonal skills along with excellent oral and written communication skills.
- Ability to negotiate effectively.

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NEWSMAKERS & INFLUENCERS

Justice Carni Joins Hancock Estabrook, LLP



Justice Edward C. Carni

Recently retired New York State Fourth Department Appellate Division Justice Edward D. Carni is re-entering private practice as a partner in Hancock Estabrook's Appellate and Litigation practices after more than 25 years on the bench.

Judge Carni became an Associate Justice of the Appellate Division, Fourth Department in 2009. He previously served on the Appellate Division, Second Department and at the trial level as a Supreme Court Justice and a Syracuse City Court Judge. As a judge, he presided over commercial, construction, insurance, municipal, products liability, and professional liability cases plus serious personal injury matters. He also has served as Chairman of the Judicial Hearing Officer Selection Advisory Committee - Fourth Department and liaison for the Fifth Judicial District Article 81 Committee.

Prior to serving as a judge, he was a member of the Syracuse Common Council and was a practicing attorney. Judge Carni graduated from SUNY Cortland and Whittier College School of Law.

"We are honored to have a former jurist and lawyer with Ed Carni's talents and legal acumen join our team," said Managing Partner Timothy Murphy. "He was an excellent trial and appellate judge and, before that, an outstanding attorney. He brings to the Firm unique and invaluable experience and legal knowledge and our clients will benefit greatly from his insight and advice."

Carni will represent clients in commercial and personal injury litigation and appellate matters and serve as an arbitrator, mediator and expert witness in litigated disputes.

"I am very much looking forward to working with the excellent attorneys at Hancock Estabrook and to utilizing my prior experience to help clients succeed and meet any challenges they are facing," said Carni.

He resides in Fayetteville with his wife, Soula, and they have 3 adult children.

Hancock Estabrook Named a 2022 Best Company to Work for in NYS

Hancock Estabrook adds to its list of accolades its recent recognition as one of the 2022 Best Companies to Work for in New York by the New York State Society for Human Resource Management and Best Companies Group.



These annual awards are part of a program that evaluates and ranks workplaces and is designed to identify and honor New York's best places of employment. These workplaces are recognized for their benefit to the state's businesses, economy and workforce. To be considered, organizations had to fulfill specific registration eligibility requirements, participate in a two-part survey of employee satisfaction and engagement, as well as workplace practices and policies.

NEWSMAKERS & INFLUENCERS

Kristen Smith Returns to BOND



Kristen E. Smith

Former Corporation Counsel for the City of Syracuse Kristen E. Smith returns this spring to Bond, Schoeneck & King as a member in the labor and employment practice in its Syracuse office.

Smith first joined Bond in 2005. In 2018 she was appointed by Syracuse Mayor Ben Walsh to serve the city as its Corporation Counsel. At Bond, she will once again work with private and public sector employers on labor and employment matters.

As Corporation Counsel, Smith oversaw all legal affairs for the city, supervising a law department of 18 attorneys. She directly advised the Mayor, Common Council and department heads (including the police and fire chiefs) on wide-ranging legal issues, with a particular focus on employment and labor issues, including employee relations and discipline, labor contract interpretation and compliance, civil service compliance, labor negotiations, workplace investigations and employment litigation.

During the COVID-19 pandemic, she helped negotiate concessions with the city's labor unions to avoid widespread furloughs and ensure the continuation of critical city services.

Smith also negotiated the city's acquisition of its street-light network as well as the city's first 5G license agreement with a major national telecommunications firm, helping Syracuse earn its designation as New York's Flagship Smart City. She also made significant contributions to police-reform initiatives, including the revision of policing policies on use of force and body-worn cameras.

"Kristen is a valued member of Bond and we are thrilled that she is returning after her term as Corporation Counsel for Syracuse," Kevin Bernstein, Bond's managing member, said. "I am sure that her contributions to the City, experience in this position and insight into municipal matters will help her clients here at Bond."

BOND Hires New Chief Operating Officer

Bond, Schoeneck and King named Bryan J. Donohue as Chief Operating Officer, assuming administrative leadership of the 250-attorney law firm. Formerly the Chief Operating Officer with the Buffalo-based accounting firm of Freed Maxick, Donohue will work alongside firm management on strategic initiatives to continue the firm's growth across its platform of offices and among its 35 practice areas and industry groups. Donohue will work out of the firm's Buffalo office.

"Bryan comes to us with proven leadership in professional services operations, with an emphasis on financial oversight. I look forward to him learning about Bond and helping us bolster our regional and national presence in numerous practice areas and support the recent expansion in our downstate offices of New York City and Westchester," remarked Kevin M. Bernstein, Chair of the firm's Management Committee. "In addition to his financial background, his experience in IT, marketing, facilities and firm management will be integral to our continued growth."



Brian J. Donohue

NEWSMAKERS & INFLUENCERS

Barclay Damon Names Committee Leadership



David Burch

Corey Auerbach

Jen Leonardi

Bob Heary

Brian Whiteley

Naresh Kannan

Margaret Surowka

Barclay Damon has new practice group and committee leadership in several practice areas.

David Burch, the firm's former hiring partner, has been elected to the its Management Committee as managing director of the Syracuse office. He takes over this role from Gabe Nugent.

Corey Auerbach, the former pro bono partner in Buffalo and current Land Use & Zoning Practice Area co-chair will serve as hiring partner for laterals. Jen Leonardi assumes the role left by Auerbach -- the pro bono partner -- and will continue to serve as a member of the firm's Diversity Partner Committee.

Bob Heary, current Labor & Employment Practice Area chair and former at-large partner on the firm's Diversity Partner Committee, will serve as the diversity partner in the firm's Buffalo office.

A member of the Commercial Litigation, Labor & Employment, and Intellectual Property Litigation Practice areas as well as the Insurance & Reinsurance Team, Brian Whiteley will serve as Commercial Litigation Practice Group leader, taking over the role from Mitch Katz.

Naresh Kannan is a member of the Intellectual Property Litigation and Patents & Prosecution Practice areas as well as the Technology, Medical Devices, Communications & Networking Technology, and Emerging Technologies Teams. Alongside Peter Bilinski he will serve as Patents & Prosecution Practice area co-chair.

Margaret Surowka is a member of the Health & Human Services Providers, Health Care, and Health Care Controversies Practice Areas as well as the Labor & Employment and Lobbying & Election Law Compliance Practice areas. Se will serve as co-chair of the firm's Health Care and Health & Human Services Providers Practice areas alongside Melissa Zambri.

Holzauer Brings Decades of Experience to Barclay Damon

Bill Holzauer brings his three decades of experience leading environmental and ethics compliance programs with him to Barclay Damon where he was, earlier this year, named as of counsel. His primary office location is in Syracuse.

His practice is concentrated on advising clients regarding environmental compliance and remediation. He has extensive experience with the development of internal compliance programs of all types, preparing and administering a code of ethics as well as overseeing internal investigations.

Holzauer joins the firm from National Grid, where he was the U.S. director of ethics and compliance.

NEWSMAKERS & INFLUENCERS

Bousquet Holstein Welcomes Attorneys to Ithaca Office

Bousquet Holstein PLLC added two more attorneys to its Ithaca Office roster..

Laura T. Hedge joins the firm as Senior Counsel and will work in the Family Law Practice Group. Previous to her work upstate, she practiced in New York City for more than a decade where she exclusively practiced high-net work matrimonial and general family law litigation. She also developed experience outside the courtroom, including negotiating and drafting pre- and post-nuptial agreements, settlement and custody agreements, and has worked with international clients experiencing cross-border issues. Laura has been designated a Super Lawyers New York Metro Rising Star for five consecutive years through 2021. She is active in the New York State Bar Association Committee on Families and the Law and the New York Women's Bar Association. She earned her Juris Doctor at Villanova University Law School and is a *cum laude* graduate of St. Bonaventure University.



Laura T. Hedge

Steven L. Foss joins Bousquet Holstein PLLC as an Associate Attorney in the firm's Litigation Practice Group. He is a magna cum laude graduate of the Syracuse University College of Law and a magna cum laude graduate of Binghamton University, State University of New York. He clerked for the Hon. Jessica R. Mayer, J.A.D. in the Superior Court of New Jersey, Appellate Division and previously worked at an Ithaca law firm where he advised clients on labor and employment matters, including labor relations, employment discrimination, and benefits-related proceedings.



Steven L. Foss



Christina M. Verone Juliano

Goldberg Segalla Welcomes Christina M. Verone Juliano

Goldberg Segalla added Christina M. Verone Juliano to the firm's Management and Professional Liability group in the Syracuse office.

An experienced litigator and trial attorney, Juliano represents a wide range of clients in civil matters including commercial disputes, asbestos and toxic tort litigation, environmental litigation, employment litigation, product liability, personal injury and general insurance defense, medical malpractice, and management and professional liability matters. She has represented regional and national insurance carriers in coverage matters ranging from wrongful death claims, personal and premises security claims, and subrogation.

Juliano was formerly with Hancock Estabrook.

NEWSMAKERS & INFLUENCERS



AbiDemi M. Donovan

Syracuse Firms Introduces New Associates

AbiDemi M. Donovan joins Hancock Estabrook, LLP as an Associate working across all departments. She is a graduate of Albany Law School, *summa cum laude*, where she served as a Teaching Assistant for Constitutional Law and Employment Discrimination and as an Executive Editor for the *Albany Law Review*. During law school, she was a legal intern at the Litigation Bureau for the New York State Office of the Attorney General and volunteered with the Legal Aid Society of Northeastern New York, National Lawyers Guild and Disability Advocates. She is fluent in German.



Alexander Berlucchi

S. Alexander Berlucchi also joined Hancock Estabrook as an Associate in the firm's Healthcare practice area. He will assist clients with matters related to healthcare law, corporate law, mergers and acquisitions, and labor law issues. Additionally, he will help healthcare clients with compliance issues, including providing regulatory compliance advice on the federal Anti-Kickback Statute, the Stark Law, the Civil Monetary Penalties Law and HIPAA. He will also prepare formation and operating structure agreements for healthcare organizations and physicians. He also provides guidance on fiduciary duties, healthcare compliance and corporate governance matters. He is a graduate of the University of Scranton and Syracuse University College of Law, where he served as Editor-in-Chief for the *Syracuse Law Review*. He also received a Master of Health Administration from Pennsylvania State University, Harrisburg.



Gabrielle Figueroa

Gabrielle Figueroa arrives at Barclay Damon as counsel in the firm's Syracuse office. She has been selected to the 2022 New Jersey Rising Stars list, recognized in its Energy & Natural Resources category. She is a member of the firm's Regulatory and Commercial Litigation Practice Areas and Energy, Cybersecurity, and Cannabis Teams.



Payne Horning

Former Barclay Damon Law Clerk Payne Horning is welcomed as an Associate to the firm after his admission to the New York State Bar. Horning is a member of the Labor and Employment area. He graduated *magna cum laude* from Syracuse University College of Law, and his experience includes serving as a Barclay Damon summer associate and a summer intern for the City of Syracuse Corporation Counsel. He is based in the Syracuse office.



Samantha McDermott

Goldberg Segalla adds Samantha M. McDermott to its Global Insurance Services group in Syracuse. She focuses her practice on complex coverage matters and insurance coverage litigation. She draws on experience as a law clerk at an international insurance company, where she researched, drafted memoranda, and created multi-jurisdictional surveys on topics involving insurance coverage, cybersecurity, and employment matters. She is a graduate of LeMoyne College and received her juris doctorate from the William and Mary Law School.

NYSBA Acknowledges Barclay Damon's Pro Bono Work

Barclay Damon was honored for its pro bono work in 2021 with an Empire State Counsel law firm designation. This honor is based on the total number of hours completed by firm attorneys who performed more than 50-plus pro bono hours throughout the year. This is fifth consecutive year the firm has received this accolade.

In 2021, the firm dedicated more than 2,500 hours valued at more than \$800,000, with attorneys and paralegals participating in family court clinics, litigating civil rights violations, drafting wills for veterans, assisting with clemency applications and providing online legal aid through initiatives such as the American Bar Association's Free Legal Answers program.

NEWSMAKERS & INFLUENCERS



Central New York welcomes a newly formed committee of the New York State Puerto Rican Bar Association called ARRIBA, which means "up" or "upward." ARRIBA's mission is to elevate the Latinx Legal Community in our area.

Meetings began in November where more than 50 attendees lent their support to the Latinx/Hispanic Community and its desire to facilitate the creation of ARRIBA.

ARRIBA's Mission Statement

Identification: To ascertain persons who wish to support the Latino/a/x legal community.

Collaboration: To identify and promote opportunities for placement and advancement of Latino/a/x attorneys within the legal profession, including but not limited to, positions within private practice, government, business organizations, public interest organizations, and our Judiciary.

Diversity: To promote diversity through community support, professional development, lectures and continuing legal education programs.

Community: To build and sustain a community of Latino/a/xx legal professionals through community programs to educate, support, and recruit young professionals, college and law students to opportunities in Central New York.

Take Note! ARRIBA, in partnership with the New York State Puerto Rican Bar Association, invites you to the Language Barriers, Interpreters, and Access to Justice CLE set for Noon to 1:30pm Wednesday, April 27th. Click [here](#) to register.

Law Practice for Sale

Syracuse attorney is interested in selling his practice. He is a general practitioner who has been in business for over 50 years. The practice concentrates primarily in residential and commercial real estate; estates including wills, trusts and probate; landlord-tenant matters and business formation. The office is furnished and includes a law library. (315) 729-9021



ANNOUNCEMENT

ERIN K. SKUCE
elected partner at
Costello, Cooney & Fearon

Costello, Cooney & Fearon, PLLC, announces that Erin K. Skuce has been elected to its partnership.

Ms. Skuce began her career with the Firm in 2016. She is a skilled advocate, and accomplished litigator, with an extensive defense practice. Ms. Skuce has experience in a wide range of cases including Construction Site Accidents, Motor Vehicle Collisions, Premises Liability and Products Liability.

Ms. Skuce also has significant experience handling insurance coverage matters across a broad spectrum of industries.

Ms. Skuce can be reached by calling Costello, Cooney & Fearon at (315) 422-1152 or by email at eskuce@ccf-law.com.

COSTELLO

COONEY & FEARON, PLLC

Experience Innovation



The Lynn Law Firm
has a new address

333 West Washington Street
Suite 100
Syracuse, NY 13202

Phone: (315) 474-1267 • Fax: (315) 474-4514
www.lynnlaw.com

Lost Wills & Testaments

The family of William Flask & Brenda Flask are looking for their last will and testament. The Flasks resided in Marietta, NY. Brenda Flask's previous surnames were Elam and Wager. If you have any information about these documents please contact Amanda Schroder, 3115-803-6409.

The family of Cheryl E. Warner is searching for her last will and testament, which they think was drafted approximately 25 years ago. Cheryl was predeceased by her husband Robert Warner. If you have any information contact Julie Sochia at (315) 402-5311.

David E. McKeon's family is looking for his last will and testament. Mr. McKeon died on January 28, 2022. He was a resident of Camillus and grew up in Auburn. If you have information about this document please call Michael McKeon at (315) 255-3929.



State of New York
 Court of Appeals
 20 Eagle Street
 Albany, New York 12207-1095
www.nycourts.gov/courts/appeals

New York State Court of Appeals 2022 CALENDAR

2022

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5			1	2	3	4	5
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30	31																			

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31																				

October							November							December						
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23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
30	31																			

Ethics Hotline

New York lawyers faced with ethical questions regarding their own prospective conduct can reach the Ethics Hotline by calling volunteers Victor Hershendorfer at **315-913-4087** or Tony Gigliotti **315-727-6780**.

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 attached guidelines – need hyperlink to the document). 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.

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 Appt?

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 LAP 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, anxiety, depression, gambling and other personal problems.

Who May I Call?

Attorneys, judges and law students in Onondaga County and these other neighboring counties: Oswego, Jefferson, Lewis, Herkimer, Oneida, Cortland, Cayuga and Madison.

Lawyer Assistance Program

Your FIRST Choice or Your LAST Resort



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 following:

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

Established in 1075, 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.

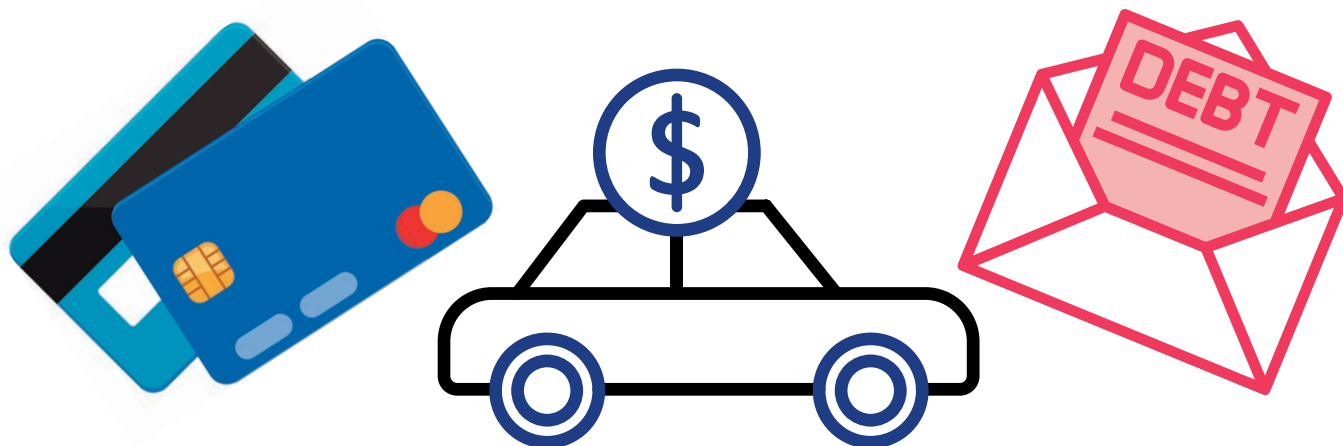


DEBT DEFENSE 201

WHEN: Noon to 2 p.m. Thursday, April 28, 2022

MCLE: 2.0 Skills • via ZOOM!

Register: at onbar.org • **COST:** Free (if you agree to volunteer w/VLP!) \$25 otherwise



Topics Covered:

- Complex debt defense issues re credit cards, auto loans, education, and medical debt collection.
- Challenging service issues at Traverse hearings, negotiating discontinuances, and vacating default judgments.
- Understand the life of a debt collection lawsuit and how to represent clients dealing with unscrupulous collection attorneys. ADR in consumer collection actions also covered.

Presenter: Anna Anderson, Esq. of Legal Assistance of Western New York



Helping Non-Citizen Women Navigate our Court System: Issues & Challenges

WHEN: Noon to 1 p.m.
Wednesday, April 27, 2022

MCLE: 1.0 DIEB

Register: at onbar.org

Cost: \$20

Presenter: Sharon Ames, Esq.
Ames is a member of the American Immigration Lawyers Association. Her practice is focused on "crimmigration" matters, family-based immigration, citizenship, and Special Immigrant Juveniles. She is the former Immigration Law Director of the Regional Immigration Assistance Center for region 2 and was an Attorney for the Child in Family Court from 2010-16.



Topics Covered:

- Types of Immigration Status and how they affect women
- What brings non-citizens into court?
- What are the challenges non-citizen women bring to court?
- How can we make it easier for women to navigate the court system?
- Protections for non-citizen women under the Immigration Laws.
- Best practices for attorneys representing non-citizens.

[Register at www.onbar.org/CLE](http://www.onbar.org/CLE)



**PUERTO RICAN BAR
ASSOCIATION &
ONONDAGA COUNTY
BAR ASSOCIATION**



~PRESENT~

An ARRIBA Committee CLE



**Language Barriers,
Interpreters, and
Access to Justice**

April 27, 2022

12:00 PM to 1:30 PM

Zoom

**1.5 CLE Credits in Professional Practice Free
to Members of Sponsoring Associations**

PRESENTERS INCLUDE

Judge Derek Thomas
Syracuse City Court Judge

Magistrate Judge Miroslav Lovric
Northern District of New York

Justice Mary V. Rosado
New York County Supreme Court

Sara Caceres
Court Interpreter

Jose E. Perez, Esq.
Moderator

Julie Grow Denton, Esq.
Presenter

To Register: <https://prbaony.wildapricot.org/event-4781813>

Admitted and newly admitted lawyers may attend and receive credit

Click **HERE** to register for this event!