

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

Rosemary E. Bucci

*Please advise Jeff Unaitis at
junaitis@onbar.org
of other members of our profession whom we have lost.*



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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.



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Upcoming Events

Tue, August 9

Breakfast at the Bar

8 a.m. Salt City Market @ Salt City Coffee, 484 S. Salina St., Syracuse
Hosted by the Women in the Courts Taskforce

Thu, August 25

20th Annual Daniel F. Mathews, Jr. Memorial Golf Outing
The Pompey Club, 7200 Hamilton Road, Jamesville

Tue, August 30

Red Cross Blood Drive

9 a.m. to 2 p.m., CNY Philanthropy Center, Ballroom, 431 E. Fayette St.

Mon, September 5

Labor Day Holiday

Wed, September 14

Have Gavel Will Travel - Reception

Honoring Appellate Division, 4th Department Justices
5 to 7 p.m. CNY Philanthropy Center, Ballroom

Thu, September 15

Have Gavel Will Travel - Appellate CLE Program

1 to 4 p.m. Onondaga County Courthouse

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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From the **PRESIDENT**

Dear Colleagues:

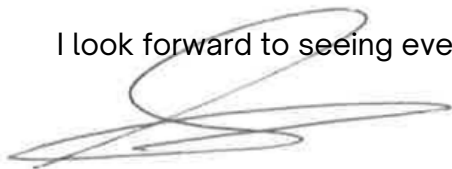
I am honored to begin my year as President of the Onondaga County Bar Association. I want to extend an emphatic thank you to our Past President, Hon. Danielle M. Fogel, for her leadership and dedication during the past year. To say that the preceding two years have been a challenge to our legal community and organization would be a drastic understatement. Of course, a great deal of gratitude is owed to our tremendous OCBA staff, Jeff, Carrie and Maggie, who I have had the pleasure of working with the past several years and look forward to working with in the next year.

I'd like to provide a little bit of background about myself. I am a 2005 Syracuse University College of Law Graduate. I practiced for several years in New York City before returning to Syracuse. Soon after I made Syracuse home again, I started my own practice, focusing on criminal defense, civil rights and personal injury matters.

As for the coming year, I am excited that we are finally getting back to normal. After a two-and-a-half-year absence, we finally had our Distinguished Lawyer celebration on June 8th, where we honored one of the great leaders of our legal community, John P. Langan, Esq. And, in April, we were able to hold our annual meeting in person at the Courthouse.

In addition to continuing Judge Fogel's focus on CLEs, it will be my focal point to continue events in person. After all, what I believe we missed most since the start of the Covid pandemic was the collegiality and camaraderie that is vital for a robust legal community. We will host the annual golf outing in conjunction with the Bar Foundation. We also will be hosting the Justices of the Appellate Division, Fourth Department on September 14th at the CNY Philanthropy Center Ball Room as part of their "Have Gavel will Travel" program. The Justices will be presiding over oral argument the following morning at 10 a.m., followed by a lunch and CLE. Notably, this will be the last sitting for Hon. John V. Centra.

I look forward to seeing everyone over the next year.



Graeme Spicer



Graeme Spicer is seen at the 145th Distinguished Lawyer Celebration on Wednesday, June 8th honoring John P. Langan of Barclay Damon. From left to right: Langan, Spicer, Marty Lynn, and Hon. Danielle Fogel.

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Job Description

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- Advise asset management and operations staff on a broad spectrum of contract and litigation issues.
- Perform legal research.

SUPERVISORY RESPONSIBILITY: Administrative Staff

EDUCATION REQUIREMENTS: Juris Doctorate (J.D.)

EXPERIENCE:

At least three years' legal experience with a focus on contracts, landlord-tenant law and commercial litigation. Knowledge of leasing, secured transactions and bankruptcy helpful.

Must be admitted to practice law in New York or be eligible for registration as In-House Counsel under 22 NYCRR 522.

OTHER QUALITIES:

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.

WORK ENVIRONMENT:

The work environment is equivalent to a general office environment. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individual with disabilities to perform the essential functions.

REPORTS TO: Associate General Counsel

FLSA STATUS: Exempt

PREPARED DATE: June 2022

Congratulations!

The following 5th District Applicants were admitted to the New York State Bar on Monday, June 13, 2022. The members of the Onondaga County Bar Association warmly welcome them to the practice of law in the Empire State!

Kathleen Ann Arcuri

Kristine Bialy-Viau

Audrey Bimbi

Mary Elizabeth Estelle Boswell

Christopher William Briggs

Franklin A. Carcamo

Josette Diana Colon

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IN-HOUSE ASSOCIATE COUNSEL POSITION AVAILABLE

Immediate Opening | In-house associate counsel position for employee-owned Syracuse-based company. Candidate should have at least 3 years' experience handling corporate matters. Experience handling contract negotiations, contract administration, corporate acquisitions, health care regulatory matters and IT matters a plus. Position will report to outside general counsel, with work assignments directed by both assistant general counsel and outside general counsel. Unique opportunity for the right individual.

Send resume and salary requirements to: Warren D. Wolfson, Esq., 100 East Washington Street, Syracuse, NY 13202 or by email to wwolfson@hancocklaw.com. All submissions will be held in confidence.



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Member Spotlight

Samantha C. Riggi, Esq.

Samantha Riggi, Esq. is a member at BottarLaw and serves as a new Director on the Onondaga County Bar Association Board of Directors.

Tell us about yourself. Are you a Central New Yorker? Where'd you go to college/law school? Were there signs in your early upbringing that make sense today that indicated you'd be a lawyer in life? Do you come from a long line of practitioners?

I grew up just outside of Schenectady, New York. I attended Siena College and received a BA in Political Science, with a concentration in pre-law. At Siena, I spent time traveling to Kingston, Jamaica, working to rebuild a health clinic and at several orphanages. I also served as an intern for (then) United States Senator Hillary Rodham Clinton.

After Siena, I attended Syracuse University College of Law, where I received my JD in 2014. In law school, I participated in a number of trial and appellate competitions, won them all, and decided that I should give trial practice a try.

I am the first attorney in my family. My mother was, and still is, a court reporter. She attributes my love for argument to me hearing attorneys in utero.

Tell us about your lawyer journey, your career. What kind of law do you practice, or have practiced?

I joined Bottar Law in 2015. I am a member of the firm, where my practice is limited to plaintiffs medical malpractice, wrongful death and severe personal injury matters. Prior to joining Bottar Law, I served as a judicial intern to the Honorable Gary L. Sharpe, formerly the Chief Judge for the Northern District of New York, and worked at a mid-sized litigation firm.

My practice has earned me a number of legal honors including being the only Central New York attorney recognized in Best Lawyers In America® "Ones to Watch" for plaintiffs medical malpractice and personal injury.

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What about your law practice has been the most fun or cool or satisfying or gratifying? Is there a case or a client that broke through for you? A particular lesson learned and/or validated?

I tried my first medical malpractice case in my fourth year of practice. Trying a case on my own, not second-chair or watching from the gallery, was thrilling. It was great to know that my firm trusted me to represent the client and, while I did not prevail, I learned many lessons that I apply in my day-to-day practice, including depositions and working with experts. Win or learn!

Managing a successful law career and maintaining a life outside of the office can be a challenge. How do you face that challenge? Do you have tips for finding peace in stormy seas?

The practice of law keeps me busy, but having several healthy outlets makes all the difference. When we are not working, my husband and I love to run, cook together, and listen to some Frank Sinatra on our vintage record player. We are also very big DIY/home renovators and have two loving boxers.

Why should people volunteer and become involved with the bar association?

In addition to the legal work that we do to improve our community, I believe that being involved locally is important. I currently sit on the Board of Directors of the Onondaga County Bar Association ("OCBA"), am the Vice President of the Central New York Women's Bar Association, the Secretary of Girls on the Run Upstate NY, and frequently prepare dinners with my husband for the Ronald McDonald House "Meals that Heal" program.

Local bar associations such as the OCBA, provide an incredible opportunity to meet, know, and learn from exceptional judges and colleagues. The OCBA offers a great forum to share ideas and get to know the interesting work our fellow members are doing. I am proud to join the Board.



Did you know?

The OCBA receives calls from people in search of wills and last testaments of loved ones only to discover the lawyer who drew those up has retired or is deceased.

Contact the OCBA and let us know where your files may be forwarded so we can help these callers and lighten their load.

Thank you!

Come join us!

**Tuesday, August 9, 2022
8:00 A.M.
Salt City Coffee and Bar
484 S. Salina Street**



Breakfast at the Bar

A monthly networking event for women in the legal profession



WOMEN IN THE COURTS TASKFORCE

CNY WOMEN'S BAR ASSOCIATION
ONONDAGA COUNTY BAR ASSOCIATION



**LOOK AT ALL
THESE
HAPPY FACES!**

The Breakfast at the Bar networking event brings out the best in folks. Check it out -- that's a lot of smiles.

Typically this casual get together meets the second Tuesday of each month at 8am at the Salt City Market Coffee Bar.

Calendar the next one:
Tuesday, August 9th





Schwartz, Fang & Keating, P.C., specializing in estate planning, probate and estate tax is committed to provide quality counsel and personalized service. Candidates will work 100% virtually. A self-starter with a strong work ethic, organizational skills and client follow-through are essential for these positions.

Trusts & Estates Associate

Schwartz, Fang & Keating is seeking a Trusts & Estates Associate with at least 8 years of experience in trusts & estates to work 100% virtually. Candidates can draft all estate planning documents, prepare estate tax projections, review judicial accountings, review Estate/Gift tax returns, review deeds and transfer documents, and review all Probate and Administration documents for filing in Surrogate's Court. The candidate would be proficient in Microsoft Word, Excel, and Teams, and Research on databases such as Lexis. A competitive compensation and benefits package will be offered to the successful candidate.

Trusts & Estate Paralegal

Schwartz, Fang & Keating is seeking a Trusts & Estates Paralegal with at least 8 years of experience as a paralegal to work 100% virtually. Candidates can draft all necessary documents related to probate and administration matters in the Surrogate's Court, draft Estate/Gift tax returns, draft formal judicial and voluntary accountings in Surrogate's Court, draft deeds and transfer paperwork, draft receipt and releases for estate administration, and monitor and ensure compliance with court rules and state and federal regulations. The candidate has experience e-filing on NYSCEF, and is proficient in Word, Excel, Outlook, along with Microsoft Teams. A competitive compensation and benefits package will be offered to the successful candidate.

Please direct all cover letters and resumes to: skeating@sfkesq.com

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Have Gavel Will Travel!

The NYS Appellate Division, 4th Judicial Department, visits Syracuse in September to hear cases for the first time in three years.

Plan to be there to mark **the last sitting for the Hon. John V. Centra**.

Please save the following dates and join us.

Wednesday, September 14th Reception to Honor Our Justices
5-7 p.m., CNY Philanthropy Center

Thursday, September 15th Appellate CLE Program
1-4 p.m., Onondaga County Courthouse

Registration for both events opens next month.

Questions about sponsorship opportunities? Contact Jeff Unaitis at JUnaitis@onbar.org.

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We are also grateful to our Gold Sponsors (as of July 20th)

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THE PRACTICE PAGE

EVIDENCE OF HABIT

HON. MARK C. DILLON

Any time when getting dressed, I place my left foot through my pants, followed by the right. This routine has occurred without variation, all these years, perhaps 45,000 times. It is a habit – left, then right.

There are circumstances when habit is admissible as evidence and other circumstances when not. Knowing the difference is key. The Court of Appeals provided guidance in *Halloran v. Virginia Chems.*, 41 NY2d 386. It explained that habit evidence is generally admissible to prove conformity with conduct on specified occasions, because “one who has demonstrated a consistent response under given circumstances is more likely to repeat that response when the circumstances arise again” (*Id.*, at 391). The proof must demonstrate “a deliberate and repetitive practice” by a person “in complete control of the circumstances,” as distinguished from “conduct however frequent yet likely to vary from time to time depending upon the surrounding circumstances” (*Id.*, at 389, 392; NY Evid. Guide Rule 4.13). If these conditions are satisfied, “a party should be able, by introducing evidence of such habit or regular usage, to allow the inference of its persistence on a particular occasion” (*Id.*, at 392; *Rivera v Anilesh*, 8 NY3d 627, 634). In other words, a line exists between deliberate and repetitive practices that are not likely to vary, which are admissible, and other repetitive practices that may occasionally vary, which are not. A proffer of habit evidence is dependent upon its unique facts and circumstances.

A classic illustration of the difference regards looking both ways before crossing a street or railroad track. Ideally, we all should do so every time as we were taught in our earliest youth. Yet, we are imperfect beings, and looking both ways might not occur if a person is distracted, absent-minded, on a prescription medication that dulls the senses, or is rushing a bit too much. Personal injury attorneys would be out of business were it not for the vicissitudes of human nature. In *Ferris v Harris*, 55 NY2d 285, evidence that a mother had taught her young daughter not to cross the street without looking for cars, in an action where the daughter was struck by a car, was not admissible as evidence of habit, as the mother made no showing of the habitual practice by the child in controlling her conduct that way. A mere “teaching” is insufficient to establish the evidentiary predicate. In *Parsons v Syracuse, B. & N.Y.R. Co.*, 133 AD 461, the Third Department found error in admitting evidence from a trial witness that a decedent who crossed railroad tracks twice a week for a year looked each way before doing so, as care undertaken on earlier occasions was not evidence that similar care was taken on the date of the occurrence. The threshold for habit evidence in state court is therefore high.

Once admissible, the trier of fact decides whether to credit the habit evidence (*Ortega v Ting*, 172 AD2d 1217).

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Federal Rule of Evidence 406 allows evidence of a person's habit or an organization's routine practice to prove that on a particular occasion, the person or organization acted in accordance with that habit or practice, regardless of corroboration or the existence of an eyewitness. The instances must be sufficiently numerous for inferring systematic conduct (*Strauss v Douglas Aircraft Co.*, 404 F.2d 1152 [2nd Cir.]). Admissibility in the federal courts appears simpler than the state standard.

Habit evidence also sometimes appears in medical malpractice actions, where physicians lack a recollection of medical procedures performed upon specific patients, but provide evidence of trained habits that define their conduct. In such cases, the physician must show that the medical procedure is a deliberative and repetitive practice (*Heubish v Baez*, 178 AD3d 779) which never varies from patient to patient despite the surrounding circumstances (*Martin v Timmons*, 178 AD3d 107, 110). An expert's opinion based upon the physician's habit may be considered if the foundation is laid of the underlying habit (*Guido v Fielding*, 190 AD3d 49). Habit may also admitted to establish invariable instructions to patients on informed consent (*Rigie v Goldman*, 148 AD2d 23).



** 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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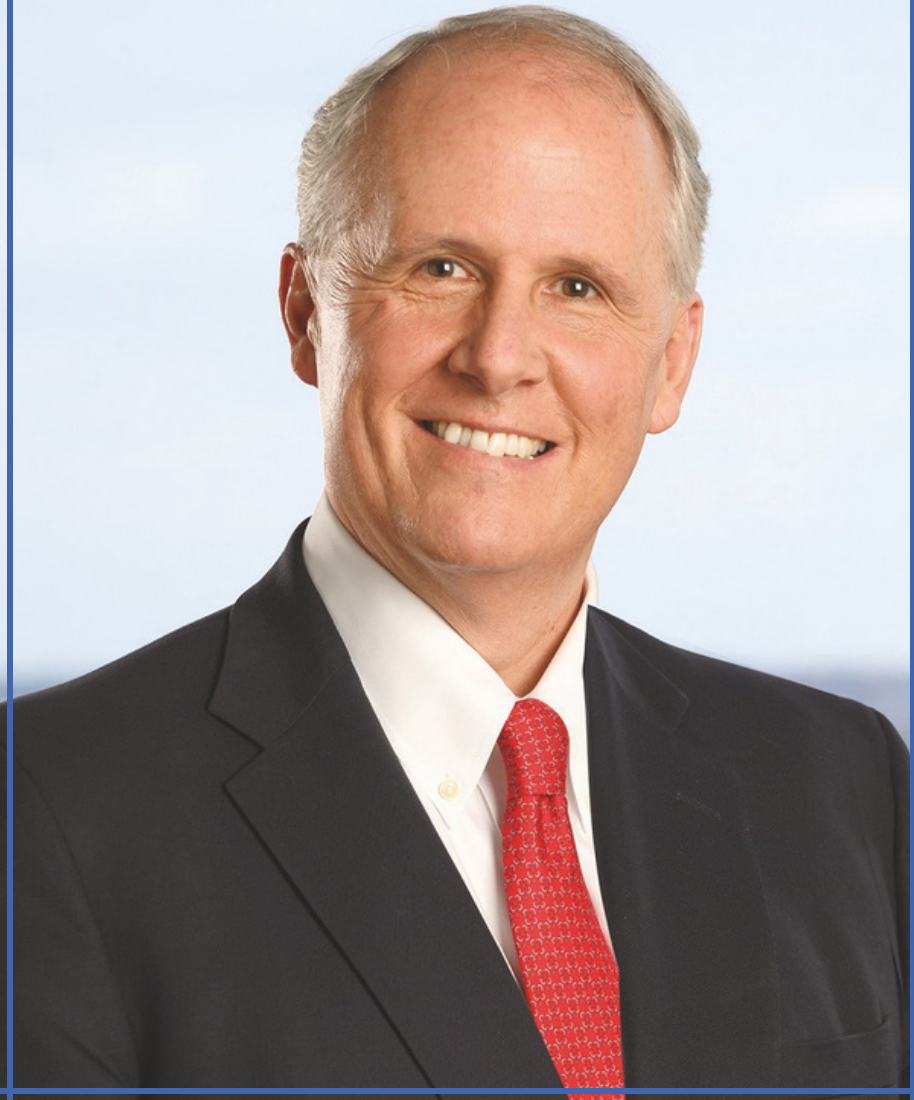
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We APPEAL To You

Meet Your 2022 Distinguished Lawyer:

John P. Langan



Barclay Damon Chair John P. Langan is respected among his peers for being part of a team that helped save the firm he joined in 1993 from potential collapse.

But he's more admired by those same colleagues for helping to create a lasting firm culture centered upon transparency, service to others, and inclusion.

As the Hon. George H. Lowe put it in his letter of nomination for Langan for the Onondaga County Bar Association 2022 Distinguished Lawyer Award, "To me it's not just the growth of the firm, but rather the visionary and inspiring culture that John managed to create."

Today the firm boasts a roster of nearly 300 attorneys plus 150 staffers for a total of 450 employees who work across five New York State offices (Albany, Buffalo, Rochester, New York City, and Syracuse) as well as in New York, Boston, New Haven, Washington DC, and Toronto.

Among Syracuse legal circles, the Langan name is well known. Langan lawyers have practiced in the Salt City for more than a century, representing clients in commercial litigation, real estate matters, labor & employment law, and trusts & estates, to name a few.

Forty-two years after the founding of the OCBA in 1875, George Anthony Langan was admitted to the bar in Onondaga County in 1917, and in 1928 was the first tenant in the State Tower Building.

"He argued many cases before Judge Learned Hand, a famous 2nd Circuit Judge," Langan said, his familial pride evident.

George's son Anthony, upon his return home from World War II, joined his father in the family law practice. Over the years, the firm's name would change to Langan, Grossman, Kinney & Dwyer, and its location would switch to the MONY Plaza. In 1981, Langan's

brother Terence joined their father, Tony, after graduating from law school, and then reconnected with him after working at a second firm until Tony's death in 2009. Today, that firm is Langan & Langan.

Langan is one of six children born to Tony and Margaret Langan: Terence, Timmy, Lee, John, Maria, and Michael. Of the six siblings, Terry, Timmy, John, and Michael followed in their grandfather and father's footsteps to become practicing attorneys. Their sister Lee married a well-respected attorney, Ted Trespasz of Trespasz & Marquardt. Langan reports only his sister Maria escaped the magnetic draw toward the law with her husband Jon, two wonderful children, and an exceptional career as a public school teacher in Southampton, Long Island.

"And that's just some of them," Langan added of his lawyerly clan.

He further referenced his youngest brother, Michael, who is a career law clerk, first to Langan's nominator for the award, Magistrate Judge George H. Lowe, and then to Chief U.S. District Judge Glenn T. Suddaby. Michael's wife, Sara, is law clerk to Onondaga County Family Court Judge Julie A. Cecile.

"And then I've got my brother Timmy in New Jersey who is deputy general counsel of a global energy company that I was able to represent years ago in a large federal court litigation," Langan said.

But there's more!

There is Langan's nephew Patrick, who partners with his father, Terence, at Langan & Langan; Terence's daughter Mary, Langan's niece, who's a former Assistant U.S. Attorney for the Northern District and is now a partner at Porter Nordby Howe LLP; another niece, Carolyn Trespasz, who is a municipal finance lawyer and who works in Barclay Damon's New York City office; and Carolyn's brother Teddy, who works with his father at Trespasz & Marquardt. Tim's son Timmy is also an attorney at an Am Law 200 firm, and lastly, Langan's own daughter, Sally, is a third year law student at Suffolk Law School in Boston and is working for an Am Law 40 firm this summer.

"All six of them represent that fourth generation under George Langan from 1917," Langan said. "Which is great, if not terribly original."

Langan's two other children aren't lawyers. They are Sam, an analyst at a global consultancy firm residing in Manhattan, and Lucy, a rising senior at her father's alma mater, Colgate University.

After Langan graduated from Colgate, he pursued his legal education at St. John's University School of Law.

As a law student eager for summer employment, Langan returned to Syracuse and worked for John Cirando, a prominent appellate attorney and former Onondaga County Chief Assistant District Attorney as well as OCBA's 2013 Distinguished Lawyer recipient.

"He was undaunted by any assigned task," said Cirando. "His career exploits have not surprised me." He'd make the phone calls to higher-ups to find solutions to thorny issues, and he'd run any errand asked of him.

"But everywhere I went," Langan said, "I'd hear 'Oh, you're Tony's son,' or 'Oh, you're Terry's brother,' and I wanted to strike out on my own and get my own experience. New York City was great for that."

The next summer and after law school, he remained in the city, where he would spend eight more years enjoying urban anonymity as he built his business litigation know-how.

"But when I finally got to the point where I had a fair amount of experience and decided where I was going to lay down stakes, opportunities presented themselves upstate. Thankfully my partner Allison was open to upstate winters and back I came."

"I didn't read any leadership books."

Were the 2022 Distinguished Lawyer honor bestowed because of Langan's legal lineage, he'd be a shoe-in. He receives this honor, however, on account of how he set down his trial attorney practice and picked up a career in firm management during a time of crisis.

Within the first six months of 1995, as he was plugging away at his practice and building a book of business, all before turning 40, the firm known as Hiscock & Barclay "kind of blew up."

"The firm was representing Key Bank as too much of its business. And Key Bank merged with Society Bank, out of Cleveland, and the majority of the work moved abruptly to Jones Day," he said. The only management training Langan had was through buying from his brother and then running a college house-painting business with his childhood best friend Jeff Koehne (now Barclay Damon's executive director) and watching law firm operations through the lens of his father and grandfather before him. "Due to my family's experience, I had familiarity with the business of law more than most," Langan noted.

continued on the next page



When the shift to Cleveland-centric representation of the former client occurred, the firm's revenue dropped 70 percent, and half of the formerly employed lawyers no longer had jobs. Langan describes that time as a "total crisis, total chaos."

By 1997, at 34, Langan found himself on the firm's management committee, only a few years after becoming partner.

Working with colleagues much more seasoned than he meant Langan listened to what was happening around him and figured out what he could do.

"I learned the philosophy of servant leadership," he said. "I learned about helping — *not leading* — helping to manage and keep going a 130-year-old business that was experiencing an existential threat, which it was."

"Don't waste a good crisis."

To deal with the problem, the management committee tapped into the fundamental fear and adrenaline that any crisis elicits, "but also a core resiliency of the partners and non-attorney professionals," Langan said.

The firm hired Hildebrandt Consultants to offer helpful recommendations. Their insights were honest and sharp, but also aspirational.

The committee heard the downsides first.

"They came out and said, 'Yeah, you don't really have much here. You don't have a big client base. Your footprint? You're in Upstate New York. You don't have a lot,'" Langan recalled.

But then came the upside.

Langan quoted Hildebrandt saying, "The one thing you have that is very, very high compared to what we see at other firms is your partners want to be here. They like each other. They like this firm, they want to stick it out." And, beginning in 1999, after a period of stabilization, that's what the firm leveraged to stay afloat — its resiliency.

"Everybody feels a sense of ownership."

Langan and three others making up a four-person management team - Mark McNamara in Buffalo, Ned Trombly in Albany, and John Nice as executive director - knew the only way up and out of the situation was to grow the firm.

But lateral growth wasn't in vogue for firm development at the time. The Cravath System was the model most firms followed: Hire summer associates who will eventually make partner, and keep out outsiders.

"If you have unlimited clients, and you're going to get all the best talent, that'll work," Langan said.

Building revenue, increasing a client base, and leveling up the firm's practice areas were required, and despite its then-frowned upon reputation, the notion of lateral recruiting began to make sense.

But Langan laid down some rules.

"You don't treat these laterals better than your partners. Everybody feels a sense of ownership. And we're one firm," he said. "And we started growing."

In the ensuing years, beginning in 1999 to today, there would be 11 firm-to-firm combinations with firms ranging in size from 15 to 60 attorneys, including the folding in of Saperston & Day (2002); Damon Morey (2015); Gilberti Stinziano Heintz & Smith (2017); Menter, Rudin & Trivelpiece (2018); and other acquisitions of group practices and partnerships along the way, including a key 20-lawyer group from LeClairRyan (2019).

Langan and the team introduced a practice-wide management structure and operating policy considered new for midsized firms by organizing attorneys not by office, but by area of practice across office lines, or "the platform" concept. At the same time, he instituted a shadowing program that allowed new associates exposure to court proceedings and client matters without the expectation of billing their time — until they were ready.

"We kept seeing better revenue, better profits, better clients," Langan said.

Energy companies deregulate

In the late 90s, the energy business went into deregulation in New York State, and the firm's other big client, Niagara Mohawk, was asked to divest various operating assets.

With Niagara Mohawk's blessing, Barclay Damon entered into deals with the many energy companies that came to the state to open their doors.

The firm had a powerhouse player on its team in former NFL defensive end and hometown collegiate gridiron hero Tim Green, who ended up representing much of this new energy business. Green was also a sports broadcaster for the Fox Network, who provided color commentary for televised games across the country. Traveling with Green on these trips allowed Langan and key firm partners to both relax and network, which led to gains on the field for the firm.

"Newly minted partner Rick Capozza introduced Tim to our firm and, working together, we started building up a national client base and a huge energy practice," Langan said.

continued on the next page.



And more work meant hiring more people.

“So things like that helped fuel the firm and investment in new talent and laterals that we’d bring in,” Langan said. “We ended up building an incredibly tight-knit family from little pieces everywhere.”

Tough times don’t last, tough people do.

Barclay Damon didn’t enter into the downstate legal market until September 2008. Initially their New York City office was high above Times Square, and today it’s in Rockefeller Center. And despite an upward trajectory, the firm encountered a “whoopsy period for about a year or two — the timing was unfortunate,” Langan said.

The Great Recession (October 2008 to June 2010) was a challenging time for a lot of people and businesses, and the firm felt the economic pinch of the significant downturn.

“But everyone stayed cool, they stayed together, we worked through it, and over time, we ended up building an even stronger New York City office, but ’08 was a difficult period for everybody,” he said.

But it was also, in a way, the best of times at the firm.

“What I’m most proud of are those periods where things got very hard,” Langan said.

Upsets, disappointments, and misfortune happen. Deals fall through, and key stakeholders can fall ill. Reactions and responses to these occasions were inspiring and key to getting through times that tested individuals and teams.

Rallying around workmates during their hour of need is what’s called for. And for Langan, buoying a faltering coworker is second nature. But seeing it happen amongst his workforce unsolicited fills him with awe.

“Those are the moments, for me, where I get the chills, and I feel so proud,” he said. “Life’s short, and work is work, but I feel like we, the firm, we’re something more than just an assemblage of people. We’ve built something that’s got a little bit of heart and soul in it. We’re certainly not perfect. We’ve got a lot of things we could be better at, but being a place with heart is what I’m most proud of.”

Gold standard pro bono service

Langan was named Managing Partner in 2001. And while the firm’s book of business expanded over the next 20 or so years, so too did its commitment to its personnel and to its community.

Barclay Damon’s pro bono policy is considered by some to be the gold standard. All full-time attorneys — first year to senior partner, no exceptions — are required to provide pro bono service each year, and each year the firm nears its goal of \$1 million in free services to those in need.

For the last five consecutive years, the firm has had 100 percent attorney participation in offering pro bono services, which Langan describes as fruit borne of its commitment to diversity, equity, and inclusion. In 2021, all paralegals also provided pro bono service, an achievement the firm plans to continue attaining going forward.

Among other honors, the firm won the 2021 Pro Bono Champion designation by the Volunteer Lawyers Project of Central New York. It has also been named by the New York State Bar Association an Empire State Counsel® honoree for providing more than 50 hours of pro bono service to the underserved, and it received the Partnership of the Year Award by the Partners for Education and Business, a division of the Manufacturers Association of Central New York.

“Besides it being the right thing to do, those programs are getting people out and into the community, helping those who are underserved, creating and feeling connections with people they normally might not see,” Langan said. “For us, it’s a mandate. It’s who we are.”

In 2021, the firm dedicated 2,500 hours to pro bono service, which translates to more than \$800,000. Employees worked in family court clinics, immigration clinics, litigating civil rights violations, assisting veterans, and providing online legal aid through the American Bar Association’s Free Legal Answers program.

To non-lawyers, the practice of donating free skills could seem counterintuitive. Money doesn’t get people to do things, but it gets in the way sometimes, especially when it involves the billable hour, said Langan.

Production hours are production hours at Barclay Damon, whether or not they are for a pro bono client or a paying client. And bonuses and promotions are based on production hours.

“And that made everybody say, ‘OK, these people are serious,’” he said. “So that’s helped along the way.”

“Good ideas come from anywhere.”

There is a level of humility toward the profession and Barclay Damon’s position in the market.

One of the ways that’s achieved is by promoting a flat management style, Langan said.

continued



“From the person at reception to the senior partner, it’s about collaboration and teamwork,” he said. “It isn’t my decision, it’s a team that makes decisions.”

Past management committee member Gabe Nugent appreciates Langan’s deep commitment to this firm-wide value: transparency.

“We learned everyone had to have a say in management,” Nugent said. “He goes out of his way to hear every voice in the firm.”

The firm’s additional focus on succession means the opinions and ideas of younger attorneys aren’t just paid lip service — they’re incorporated into recordable and meaningful action.

Am Law 100 firms, Langan said, lose roughly 50 percent of their laterals after three to five years; Barclay Damon will lose between three to five percent of laterals to attrition, he said.

“They stay. And one of the reasons they stay is for this issue.”

“Better decisions, better service by a diverse group.”

Earlier in his tenure, Langan recognized the face of this firm as that of a senior, white male.

His eyes were open, and he knew that better decisions are derived by a diverse group of people.

“You want the widest array of people with the widest array of views, and then your job is to listen,” he said.

And when health care attorney Sheila Gaddis became chair of Barclay Damon’s Diversity Partner Committee, the firm began to change in ways that only bettered what was already a positive foundation.

Women, Black and other ethnic minorities, and people in the LGBTQIA+ community now make up a significant number of the firm’s total personnel with a growing number taking on leadership positions at the firm.

“That’s what great leaders do.”

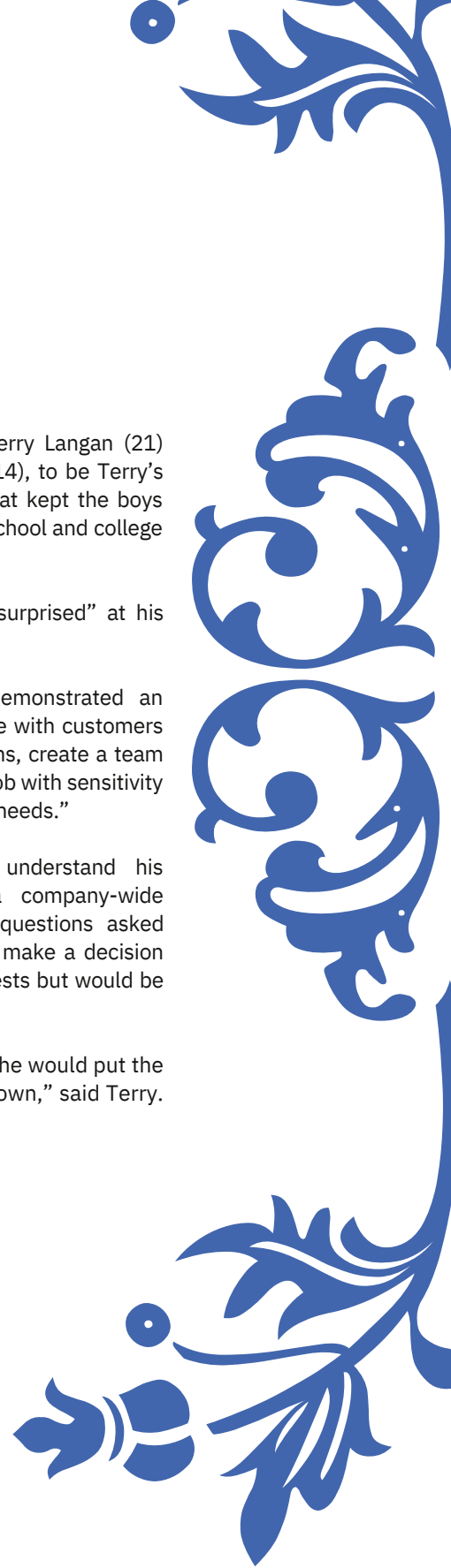
Back in the day, older brother Terry Langan (21) hired his younger brother, John (14), to be Terry’s foreman in a painting business that kept the boys and their crews busy during high school and college summers.

Terry says he was “not one bit surprised” at his brother’s management skill.

“Even at only age 14, John demonstrated an exceptional ability to communicate with customers and our employees, make decisions, create a team effort, and solve problems on the job with sensitivity to the customers’ and employees’ needs.”

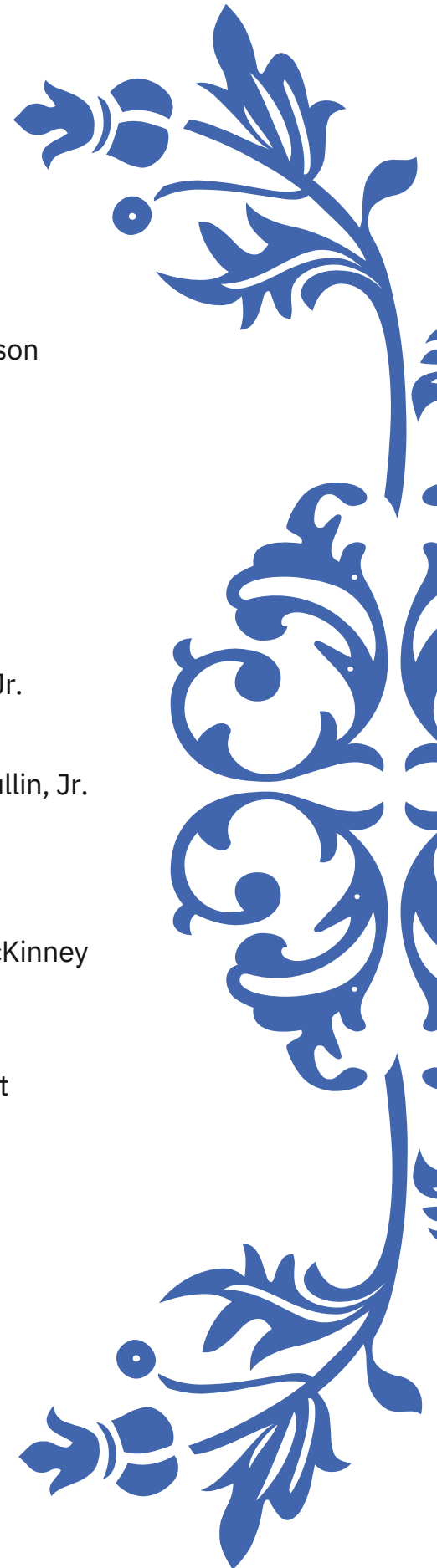
Langan’s law firm employees understand his leadership style too. During a company-wide anonymous survey, one of the questions asked what John would do if he had to make a decision that cut against his personal interests but would be in the best interest of the firm.

“Nearly everyone responded that he would put the interests of the firm ahead of his own,” said Terry. “That’s what great leaders do.”



Previous Honorees

1968 Sidney B. Coulter	2001 Mary Lou Crowley
1969 William F. FitzPatrick	2001 Ruger Award
1970 George R. Fearon	Hon. John F. Lawton
1971 Arthur W. Agan	2002 James F. Dwyer
1972 Saul H. Alderman	2003 M. Catherine Richardson
1973 Walter T. Gieselman	2004 Dennis R. Baldwin
1974 Paul R. Shanahan	2005 Bernard T. King
1975 Howard H. Cannon	2006 Frank H. Armani
1976 Louis Young	2007 Hon. George H. Lowe
1977 Joseph H. Murphy	2008 Karen DeCrow
1978 George S. Sullivan	2009 Sidney Devorsetz
1979 Thomas H. Dyer	2009 Ruger Award
1980 Henry S. Fraser	Hon. Rosemary S. Pooler
1981 George W. Lee	2010 William L. Bergan
1982 Gordon H. Mahley, Sr.	2011 Raymond J. deSilva, Jr.
1983 Hilbert I. Greene	2012 Edward Z. Menkin
1984 Raymond W. Hackbarth	2012 Ruger Award
1985 N. Earle Evans	Hon. Frederick J. Scullin, Jr.
1986 Nathan H. Blitman	2013 John A. Cirando
1987 Tracy H. Ferguson	2014 Emil M. Rossi
1988 Hon. William R. Roy	2015 John P. Sindoni
1989 Robert D. McAuliffe	2015 Ruger Award
1990 Philip J. Britt	Hon. Langston C. McKinney
1991 Laurence Sovik	2016 Susan R. Horn
1992 Ruger Award	2016 Ruger Award
Hon. Stewart F. Hancock Jr.	Hon. Norman A. Mordue
1993 John J. Dee	2017 Laurence G. Bousquet
1994 Alan J. Goldberg	2018 Thomas E. Myers
1995 Ruger Award	2018 Ruger Award
Hon. Neal P. McCurn	Hon. John V. Centra
Hon. Howard G. Munson	2019 Edward J. Moses
1996 Laverne F. O'Dell	2019 Ruger Award
1996 Ruger Award	Hon. John J. Brunetti
Hon. Richard D. Simons	
1997 Taylor H. Obold	
1998 Vincent A. O'Neil	
1999 Simeon J. Farrell	





Congratulations

to **John Langan**, Barclay Damon chair and former managing partner, on being honored with the 2022 Distinguished Lawyer Award at the Onondaga County Bar Association's 145th Distinguished Lawyer Celebration.

John's 20-year career as Barclay Damon's managing partner included leading the firm through unprecedented growth, developing the firm's award-winning pro bono program, and overseeing the creation of numerous diversity, equity, and inclusion initiatives. We're grateful to have such a dedicated and accomplished leader.

Congratulations, John!

BARCLAYDAMON.COM

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125 East Jefferson Street, Syracuse, NY 13202 | 315.425.2700



College of Law

Professor of Practice

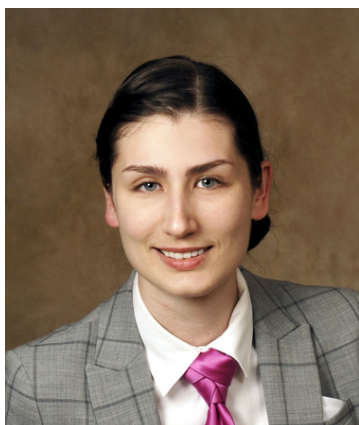
Syracuse University College of Law invites applications for a position as Professor of Practice, beginning in the Fall Term of 2023, with the option to begin in Spring Term of 2023. This is a contract, non-tenure-eligible faculty position. Candidates will be expected to teach in the residential law program and in our online JD Interactive program. Candidate's duties include academic instruction of experiential courses, including legal writing; directing externship programs within Central New York and other geographic areas, as well as teaching seminars within these programs; overseeing the College of Law Pro Bono Program and Pro Bono Scholars Program; and performing administrative functions related to program coordination and oversight. Teaching experience and a demonstrated commitment to excellent classroom teaching are required. Prior law school teaching is a significant plus. Experience directing legal externships and pro bono placements is strongly preferred. Duties may be adjusted over time by the College of Law as needs evolve.

Candidates should have an excellent academic record and should hold a J.D. degree from an accredited law school. Preferred post JD experience includes significant legal practice in diverse areas of law. A candidate's ability to contribute to the diversity of the College of Law community is a preferred qualification for this position.

To apply for the position, candidates must complete an online faculty application (available at <https://www.sujobopps.com/postings/93649>) and submit a curriculum vitae, cover letter and names of three references, including academic/teaching references capable of assessing the candidate's potential as a legal academic. Priority consideration will be given to applications received by August 15, 2022.

Syracuse University is committed to diversity and is an equal opportunity employer.

NEWSMAKERS & INFLUENCERS



Diana G. Rogatch

New Faces at Bousquet Holstein

Bousquet Holstein PLLC welcomes several new associates to the firm this summer.

Diana G. Rogatch joins the firm's Brownfield Practice Group. She successfully passed the Uniform Bar Examination in April 2022, and is admitted to practice in Colorado. She will be admitted to practice law in New York in January 2023.

Rogatch returns to the firm after taking part in the 2021 class of Summer Associates when she assisted with tax, business, and litigation matters. Her previous experience includes working as a litigation paralegal for a Boston firm and also with Judge Frederick Scullin in the Northern District of New York.

A *cum laude* graduate of the Syracuse University College of Law, class of 2021, Rogatch concurrently earned an MBA from the Whitman School of Management. She is a *summa cum laude* graduate of Suffolk University, in 2016.

Rachel B. Wadsworth joined Bousquet Holstein's Trusts & Estates Practice Group.

Wadsworth, originally from Onondaga Hill, graduated from Albany Law School, in 2021. There, she was a member of the Albany government Law Review and served as the Managing Editor for Submissions of the journal during her third year. She earned her an undergraduate degree in Archeology, Technology, and Historical Structures at the University of Rochester in 2017.

Previous employment experience includes working in the offices of the Federal Public Defenders of Northern New York and the Legal Assistance of Western New York's Pro Se Divorce Clinic, during law school.



Rachel B. Wadsworth

Bousquet Holstein welcomes two summer associates in Autumn Burgin and Claire Xu.

Burgin is entering her final year at Syracuse University College of Law and will work primarily in the firm's Syracuse office. At Syracuse, Autumn serves her class as Vice President of the Student Bar Association and is also a member of the Black Law Student Association where she has served on the Executive Board. She is an Associate Editor of the Journal of Science and technology and is an Executive Board member of the Travis H.D. Lewin Advocacy Honor Society. Autumn has previously served as a Summer Associate with a Syracuse law firm where she gained experience in real estate, commercial litigation, corporate transactions, trademarks, bankruptcy, and professional liability matters. Autumn is a 2020 *summa cum laude* graduate of Le Moyne College, where she earned a BA in Political Science.



Autumn Burgin

Claire Xu has completed her first year of studies at Cornell Law School and will work in Bousquet's Ithaca office. At Cornell, Xu is the President of the Women's Law Coalition and serves as Social Chair of the Asian Pacific American Law Student Association. Her experience includes working as a Research Assistant at UNICEF, conducting legal research on laws for NGOs at ForNGO in Shanghai, China, and has previously worked on cybersecurity and data protection matters. She is a *magna cum laude* graduate of Mount Holyoke College in South Hadley, MA, in 2019, with a degree in International Relations and Psychology.



Claire Xu

NEWSMAKERS & INFLUENCERS

***Chambers USA* Recognizes Barclay Damon Practice Areas & Notable Practitioners**



Ken Bello



Jim Canfield



Brenda Colella



Jeff Davis



Jon Devendorf



Chris Greene



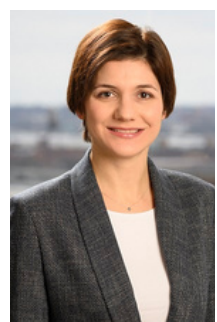
Yvonne Hennessey



Randy Oppenheimer



George Pond



Ekin Senlet

Barclay Damon announces five of its practice areas are recognized by *Chambers USA* in its 2022 directory as top ranked in their geographical areas.

They are Corporate/M&A, Environment, Labor & Employment, and Litigation: General Commercial, all in Upstate New York, and Energy: State Regulatory & Wholesale Electric Market, in New York State.

Additionally, Chambers listed the following partners as notable practitioners:

- Ken Bello (Massachusetts): Labor & Employment
- Jim Canfield (Upstate New York): Corporate/M&A
- Brenda Colella (New York): Energy: State Regulatory & Wholesale Electric Market
- Jeff Davis (Upstate New York): Environment
- Jon Devendorf (Upstate New York): Litigation: General Commercial
- Chris Greene (Upstate New York): Corporate/M&A
- Yvonne Hennessey (Upstate New York): Environment
- Randy Oppenheimer (Upstate New York): Labor & Employment
- George Pond (New York): Energy: State Regulatory & Wholesale Electric Market
- Ekin Senlet (New York): Energy: State Regulatory & Wholesale Electric Market

Chambers ranks "the leading lawyers and law firms" across the country based on "in-depth market analysis and independent research." The rankings are "compiled through assessment of a firm's work and opinions from external market sources, with an emphasis on client feedback."

NEWSMAKERS & INFLUENCERS

Three Attorneys Make Moves at Barclay Damon

Barclay Damon announces Joe Porcello, partner, has joined the firm's Commercial Litigation, Intellectual Property, and Insurance Coverage & Regulation Practice Areas in the Syracuse office.

With more than a decade of global law firm experience, he focuses his practice on helping business clients resolve complex commercial disputes, often involving sophisticated technology and international dimensions. He handles matters in a wide variety of areas, including contract disputes, false advertising and unfair competition, intellectual property, product liability, and insurance coverage.

Brian Gerling, of counsel, joins Barclay Damon's Trademarks, Copyrights & IP Transactions and Intellectual Property Litigation Practice Areas and Cybersecurity Team. He'll work primarily from the Syracuse office. He has nearly two decades of intellectual property and commercial litigation experience and represents a variety of technology clients from start-ups to well-established companies in matters involving intellectual property commercialization, protection, preservation, and, if needed, litigation. He also serves in outside general counsel capacity for companies requiring assistance with corporate transactions, data privacy and security compliance, and economic development projects.

In addition to his legal practice, Gerling is the executive director of the Innovation Law Center at Syracuse University College of Law. In this role, he oversees the center's applied learning course -- the Innovation Law Practicum. He also teaches intellectual property and technology law courses at SyracuseLaw as an adjunct professor.

And joining the firm as special counsel, Michael Scott-Kristansen will work within the Health Care Controversies and Health & Human Services Providers Teams, primarily in the Rochester office. Scott-Kristansen represents health care and human services providers, the Centers for Medicare & Medicaid Services, the Department of Health, and the Office of the Medicaid Inspector General, among others.



Joe Porcello



Brian Gerling



Michael Scott-Kristansen

Title Examiner Acquires Vanguard Research & Title Services, Inc.

Vanguard Research & Title Services, Inc., with offices in Syracuse and Oswego, announces the firm's current Title Examiner Patrick Corbett has acquired the firm from Founder, Owner, and CEO Ryan Thorpe.

Mr. Corbett has more than a decade of experience in the research and title industry and as a sole proprietor. He has been instrumental for Vanguard in creating the company's compliance program based on ALTA's best practices, designing the Governance, Risk and Compliance structure, and reshaping the company's title division.

"Patrick is the ideal Owner and CEO to lead Vanguard's next chapter," said Mr. Thorpe. "He is an exceptional leader with a track record of operational excellence and team-driven results. Since day one, he's shared the same vision I've had of Vanguard and that innovative spirit and constant drive to improve continuing on has me excited for Vanguard's future."

Vanguard Research & Title Services, Inc., founded in 2003, is a full-service research and title insurance provider.



NEWSMAKERS & INFLUENCERS

Raju, Summer Associates Welcomed at Hancock Estabrook, LLP

Finney Raju joined Hancock Estabrook's Litigation Practice Area as an associate attorney in June. His practice focuses on lawsuits involving products liability, mass torts, premises liability, commercial litigation and other civil disputes. Previously, Raju served as an Assistant Corporation Counsel for the City of Syracuse. He also serves the nation as U.S. Army Reserve legal Command providing legal assistance to support the soldiers of the Tenth Mountain Division in Fort Drum, New York.

He is a graduate of the Maurice A. Deane School of Law at Hofstra University and City University of New York at Baruch College. He is admitted to practice in New York State.

Also joining the firm as Summer Associates are Niloofar Abedzadeh and Cameron Rustay.

Abedzadeh is attending the Syracuse University College of Law and is originally from Toronto, Canada. She is an Associate Editor of the *Syracuse Law Review* and a research assistant for Professor Doron Dorfman. She received her undergraduate degree from York University in Toronto.

Rustay is also a student at Syracuse Law and hails from Syracuse. He is an editorial member of the *SUCOL Law Review*. He was recently a Judicial Intern for Judge Matthew J. Doran and graduated from SUNY Geneseo.



Pictured (left to right), Finney Raju, Niloofar Abedzadeh and Cameron Rustay

MCV Law Welcomes New Associate

Alicia L. Loomis has joined MCV Law as an associate attorney in the firm's Personal Injury & Civil Litigation department. Loomis graduated *magna cum laude* from Syracuse University College of Law in 2019. She serves as a board member of the Central New York Women's Bar Association.



Alicia L. Loomis

SPOTLIGHT ON: CHRISTOPHER HOYT, JD

As part of our ongoing series of continuing education events for professional advisors, Professor Chris Hoyt will be joining us in October to discuss charitable giving and retirement assets. He will explore why it has become more challenging to receive tax benefits from charitable gifts after 2017 as well as the benefits of donor-advised funds, qualified charitable contributions, tax-exempt charitable remainder trusts and more. You will learn to help your clients and grow your practice using charitable planning with special retirement tips.

In anticipation of Professor Hoyt's upcoming appearance in October, we're sharing a few teasers from his presentation:

CHARITABLE "BUNCHING" CAN BE

① BUNCHES OF FUN:

The 2017 Tax Cuts and Jobs Act raised the standard deduction and drastically reduced the number of taxpayers who itemize their tax deductions, down from 33 million tax returns in 2017 to just 12 million tax returns in 2018. This led to an increase in the popularity of donor-advised funds, which presented a new planning opportunity for charitable taxpayers who can bunch deductions to itemize every few years. Donors can make a gift to a donor-advised fund in one tax year that is equal to their projected giving over the next several years. The amount donated should be large enough to allow total deductions to exceed the standard deduction for the tax year. Donors can then use the fund in subsequent years to support the charities of their choice and replenish the fund in a year when they are able to itemize deductions.

② GIFTS OF APPRECIATED STOCK ARE APPRECIATED:

Professor Hoyt theorizes that all charitable gifts should be made with appreciated stock unless donors are over age 70 ½. Gifts of appreciated stock are ideal for charitable giving because the donor benefits from double-tax savings – (1) they are eligible for a charitable income tax deduction for the full appreciated value of the stock and (2) they never pay income tax on the growth of the value of the stock. Since charities are tax-exempt, no taxes are incurred when the recipient charity sells the stock.

③ **QCD DOS & DON'TS:** Professor Hoyt counsels that most donors over age 70 ½ should make all of their charitable gifts from their IRAs.

After age 59 ½, individuals can take a taxable distribution from their Traditional IRA without penalty. They can use that in any way including contributing the distribution to charity. If they itemize their charitable deductions, then donating their IRA distribution should provide them with a charitable deduction that offsets their income.

Later on, when an individual is at least 70 ½ years old, they can begin making IRA distributions directly to charities up to \$100,000 per year. These qualified charitable distributions (QCDs) provide a number of tax advantages:

- QCDs are excluded from taxable income. For those clients who do not itemize deductions, QCDs provide greater tax savings than cash gifts.
- Beginning at age 72 (pending any SECURE Act 2.0 changes), QCDs count toward a client's required minimum distributions (RMDs).

Age may just be a number, but it's quite an important one when it comes to financial and retirement planning. From the release of new IRS life expectancy tables in 2022 to the proposed increases in withdrawal age for required minimum distributions under the SECURE Act 2.0, an expanded definition of the golden years will necessitate an expanded toolkit for tax-smart planning. No stranger to the landscape of tax law, Professor Hoyt has decades of experience in the realm of retirement and charitable planning for every age and tax law change.

Christopher Hoyt, JD is a Professor of Law at the University of Missouri (Kansas City) School of Law where he teaches courses in the areas of federal income taxation, charitable organizations and retirement plans. He received an undergraduate degree in economics from Northwestern University and he received dual law and accounting degrees from the University of Wisconsin.

Professor Hoyt has served as the Vice-Chair of the RPTE Charitable Group and he serves on the editorial board of *Trusts and Estates* magazine. He is an ACTEC fellow and has been designated by his peers as a "Best Lawyer." He was elected to the Estate Planning Hall of Fame by the National Association of Estate Planners & Councils.



CHRISTOPHER HOYT, JD

**TO REGISTER
FOR THE
OCTOBER
CONTINUING
EDUCATION
EVENT
FEATURING
CHRIS HOYT,
VISIT**

CNYCF.ORG/EVENTS/CE



HISCOCK LEGAL AID SOCIETY

PROMOTING JUSTICE FOR ALL SINCE 1949

FAMILY LAW ATTORNEY

About Hiscock Legal Aid: Hiscock Legal Aid (HLA), founded in 1949, is a non-profit agency located in Syracuse, New York and is the primary provider of legal services to low-income individuals in Central New York. HLA promotes the right of every person to equal justice under the law by providing high-quality legal assistance to individuals and families in need. For more information, please visit www.hlalaw.org.

About the Position: The Hiscock Legal Aid Society, located in Syracuse, New York, seeks an attorney to join its Family Court Program and represent adult clients in family law matters, including Family Offense, Abuse/Neglect, Custody/Visitation, and Support Violation cases. Our attorneys appear before the judges, court attorney referees, and support magistrates of Onondaga County Family Court on a daily basis. Attorneys in the Family Court Program are very passionate and knowledgeable and routinely collaborate on cases to provide strong, zealous advocacy for clients. HLA works as a team to provide clients holistic representation and to provide attorneys with access to a vast amount of knowledge and experience, including practice areas beyond family court. The Family Court Program team includes law assistants and other support staff who assist attorneys with daily tasks, including but not limited to service, screening, scheduling, discovery, correspondence and client advocacy. Our more experienced attorneys are provided with opportunities and encouraged to present at CLEs and other legal platforms or community events.

Required Qualifications: Demonstrated commitment to public-interest law and to serving low-income persons. Admission or pending admission to New York Bar.

Preferred Qualifications: Ability to multi-task while remaining detail-oriented. Strong written and oral advocacy skills. Diverse economic, social, and/or cultural experiences.

Salary: Starts at \$60,000.00 for admitted attorneys, increases depending on experience.

Benefits: Excellent fringe benefits including generous leave, health, dental, and optical insurance, 401(k) retirement plan, and a great work environment.

Start Date: As soon as mutually agreeable.

Application Instructions: Applicants should submit a cover letter, resume, and list of three references to Gregory W. Dewan, Esq., Deputy Executive Director, at hiring@hlalaw.org.

Hiscock Legal Aid is an equal opportunity employer, committed to inclusive hiring and dedicated to diversity in our work and staff. We strongly encourage candidates of all identities, experiences, and communities to apply.



HISCOCK LEGAL AID SOCIETY

PROMOTING JUSTICE FOR ALL SINCE 1949

Afghan Legal Fellowship

About Hiscock Legal Aid: Hiscock Legal Aid (HLA), founded in 1949, is a non-profit agency located in Syracuse, New York and is a primary provider of legal services to low-income individuals in Central New York. HLA promotes the right of every person to equal justice under the law by providing high-quality legal assistance to individuals and families in need. For more information, please visit www.hlalaw.org.

About the Position: Hiscock Legal Aid (HLA) seeks a law graduate or an attorney to join our dynamic immigration law practice to provide legal counsel and representation to Afghan clients seeking lawful status in the United States, primarily through applying for asylum. Position is temporary to permanent. Position is funded through September 30, 2023. Fellow will be evaluated for a permanent position thereafter.

Required Qualifications: Law graduate. Ability to work both independently and as part of a team. Attention to detail. Ability to meet deadlines and requirements. Driver's license and ability to travel, in accordance with grant requirements.

Preferred Qualifications: Licensed attorney with membership in good standing in the bar of the highest court of any state in the country or U.S. territory. Fluent in English and an additional language. Membership in good standing in the New York bar. Diverse economic, social, and/or cultural experiences.

Salary: Starts at \$55,000.00 annually, increases depending on experience.

Benefits: Excellent fringe benefits including generous leave, health, dental, and optical insurance, 401(k) retirement plan, and a great work environment.

Start Date: As soon as mutually agreeable.

Application Instructions: Applicants should submit a cover letter, resume, and list of three references to Gregory W. Dewan, Executive Director, at hiring@hlataw.org.

The positions will be open until filled.

Hiscock Legal Aid is an equal opportunity employer, committed to inclusive hiring and dedicated to diversity in our work and staff. We strongly encourage candidates of all identities, experiences, and communities to apply.

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 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.

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.

20th Annual Daniel F. Mathews, Jr. Memorial Golf Outing

Date: Thursday, August 25th, 2022

Location: The Pompey Golf Club

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



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Hole Sponsor \$300

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- Recognition on OCBA Website, Social Media and Bar Reporter

Tee Sponsor \$150

- Sign on Tee

Schedule

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

Prices

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

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

20th Annual Dan Mathews Golf Outing Sponsorship Form

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Return to: OCBA 431 E. Fayette St., Suite 300 Syracuse, NY 13202
Email info1@onbar.org, or fax 315-471-0705