President’s Letter

By Michael J. Ryan

Once again, we have survived “plumping season,” as a friend refers to the weeks of noshing and nibbling that end the calendar year. I have already had to amend New Year’s Resolution #1 upward by a few pounds.

In my last column, I bemoaned the endless march of holiday shopping toward Labor Day. Then on November 4, while station surfing on my car radio, I encountered the start of 24/7 Christmas songs on a local FM outlet. That in and of itself was not the most upsetting fact. I was okay with Nat “King” Cole singing the Christmas song (you know, chestnuts roasting on an open fire), Gene Autry, the singing cowboy, with the original Rudolph, the Red-Nosed Reindeer, etc.

But it also meant possible overexposure to Burl Ives’ rendition of “Have a Holly, Jolly Christmas.” I have nothing against Mr. Ives. He had a long and accomplished career as an actor on stage, screen and television. In his younger days, he was a well-recognized folk singer who appeared with Pete Seeger and Woody Guthrie.

But “Holly, Jolly Christmas” is insane beyond belief. What is a Holly, Jolly Christmas anyway? The worst part is that after hearing just a few bars, I can’t get it out of my head for the rest of the day. It reminds me of a frightening experience in the past.

When my daughter was five or six years old, we went to Disneyland. I cannot forget standing in line with her in a snake dance line waiting to gain admission to It’s a Small World. They played that theme song over and over and over. At least #00 times. I was borderline catatonic. And I couldn’t hear it. I swear if the CIA put Gitmo prisoners in that line, they would beg to be waterboarded.

In recent months, the RAEC has developed and launched a new website and significantly improved its social media platforms. These changes, made at the direction of the board, are intended to make programs and services more easily accessible to members, law students and the general public.

In addition to LinkedIn and Facebook, the RAEC has a more active – and interactive – Twitter presence. Follow us at @BAECBarAssoc to easily view upcoming bar events and CLE programs, catch up on local court cases, or check current job postings – all in 140 characters or less.

Executive Director Katherine S. Bifano credits staff members Maureen Gorski and Brittany Luongo with implementing the changes. Gorski oversees the website redesign while Luongo has revitalized the social media platforms.

With respect to Twitter, the RAEC’s reach continues to grow rapidly. A steady increase in followers has allowed for greater community engagement. Having a stronger presence helps to communicate bar services and events and also enables the RAEC to promote the activities of its members.

Through Twitter, our staff can monitor and recognize the achievements of local attorneys and law firms. We can promote CLE programs, announce committee meetings, celebrate award recipients and much more.

Twitter also allows us to learn more about our local community, and more importantly, what is of interest to individual members. Followers can find links to the latest issue of the Bulletin, read the latest legal news updates, learn about upcoming events and more.

Are you following us? Log into Twitter today, tweet us, and stay connected to your Bar Association and your community.

Bar Services More Accessible

Technological Enhancements Make Bar Services More Accessible

continued on page 4

BAEC Board Passes Resolutions to Restore Court Funding

Citing “flat funding” in recent years which has “forced the federal judiciary, Department of Justice, U.S. Attorney’s Office for the Western District of New York, and federal public defender’s office to severely reduce staffing and operations,” the Bar Association of Erie County recently passed three resolutions asking Congress for an end to this neglect.

The resolutions maintain that “further cuts through sequestration may compromise the ability of the federal judiciary to fulfill its constitutional duties,” negatively affecting public safety and the quality of the criminal and civil justice systems. They further state that continued cuts to the Department of Justice and U.S. Attorney’s Office for the Western District of New York would preclude their future ability to “fulfill critical duties.”

Through the resolutions, the board calls upon Congress to restore and fully fund the federal judiciary, promote adequate funding for the federal public defender’s office, and oppose any further cuts to the Department of Justice and U.S. Attorney’s Office.

The full text of the resolutions appears on page 6.

Judicial Welcoming Ceremony

Please join us for the 2014 Judicial Welcoming Ceremony to ring in the New Year and welcome new and existing members of the judiciary to the bench. This ceremony, sponsored by the Bar Association of Erie County, The Minority Bar Association of Western New York and the Women’s Bar Association of the State of New York, Western New York Chapter, will be held on Wednesday, January 16, at 1:00 p.m., in the Ceremonial Courtroom, Part 1 of Supreme Court at 92 Franklin Street, Buffalo.
Letter to the Editor

Child abuse is manifestly a human rights issue. Eain Clayton Brooks and Abdifatah Mohamud are among those children in a long line of tragedies and family’s and victim’s pain, but we should not want to just feel their sadness or pain - we must heal or prevent an epidemic of violence.

We as a community and nation need a cure for this from the same contributor.

We are all sad for them and feel the rights violations. We are all sad for them and feel the family’s and victim’s pain, but we should not want to just feel their sadness or pain - we must heal or prevent it.

As a community and nation need a cure for this epidemic of violence.

Former Chief Justice William Rehnquist in DeShaney v. Winnebago (489 U.S. 189 (1989) held that there is no due process liberty protection against the government due process liberty protection against the government for not affirmatively protecting those children from the same contributor.

Clayton Brooks and Abdifatah Mohamud continue.

Due process liberty protection against the government for not affirmatively protecting those children from the same contributor.

We as a community and nation need a cure for this epidemic of violence.

Don you agree with this writer? Dis agree? The “letters” page is provided as a forum for all members to express their opinions and does not necessarily reflect official positions adopted by the B AEC board of directors. All letters are subject to editing for content, space and other considerations. We do not print anonymous letters or multiple submissions from the same contributor.
How to place an announcement:

If you are a BAE member in good standing and you've been promised, hired as an associate, taken on a partner, or received an award, we'd like to hear from you. Talks, speeches (unless they are of national stature), CLE presentations and political announcements are not accepted. In addition, we will not print notices of honors determined by other publications (e.g., Super Lawyers, Best Lawyers, etc.). Notices must be submitted in writing and limited to 100 words. They are printed at no cost to members and are subject to editing. E-mail your notice and high resolution photo (300 dpi) to obrian57@comcast.net

Bridget M. O'Connell has received the 2013 Glenn Young Professional Leadership Award presented by the Buffalo Niagara Partnership. A former BAEU board member, O'Connell is mediation manager for Child & Family Services' Center for Resolution and Justice. The award recognizes young leaders in their professions who "demonstrate creativity and innovation in the workplace while dedicating their time to providing a service that improves the quality of life for others in our community."

Beth Bialis, RP®, a paralegal in the business litigation practice group at Hodgson Russ LLP, has been elected vice president and director of profession development for The National Federation of Paralegal Associations, Inc. (NFPAs) for the 2013-2015 term. Bialis has more than 16 years experience working in bankruptcy law and business litigation. She is a long-time member of the Western New York Paralegal Association and has held several positions on its board, including serving as liaison to the BAEU. NFPAs is a non-profit professional organization representing more than 5,500 paralegals across the country.

Phillips Lytle LLP has opened a new 35,000-square-foot, state-of-the-art law office which will house nearly 300 employees. The law firm occupies the top four floors of the eight-story former Donovan State Office Building, now known as One Canalside. Lieutenant Governor Robert J. Duffy, who joined the ceremony, praised the "vision and momentum that is sparking a bright future of Buffalo's historic Erie Canal Inner Harbor and entire waterfront."

Eric Canal Harbor Development Corporation (ECHDC), a state entity that supports and promotes the creation of infrastructure and public activities along Buffalo's waterfront, assumed title to the Donovan Building in December 2007 and started asbestos remediation. It later decided the best use for the building would be adaptive reuse. In July 2011, Bendorson Development Company and Phillips Lytle announced the first significant private investment in the emerging Canalside area. More than $30 million was invested in the project, which involved stripping the vacant government building down to its steel beams and giving it a modern exterior and ultra-functional interior.

"The opportunity to build from scratch allowed Phillips Lytle to promote overall functional efficiency and attorney collaboration," according to a statement. "The 128 attorney offices are designed for increased work efficiencies and improved ergonomics."

In moving to the new location, the firm also worked to reduce its environmental impact. They recycled more than 221 tons of paper, digitized 1.6 million pages of documents, and eliminated significant storage

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Corporate Counsel Group Elects Officers & Directors


The NFCCAs purpose is to "promote high standards for legal services to corporations; address issues and concerns of corporate counsel; and to provide insights to the administration and governance of corporate legal departments."

Lawyers Helping Lawyers...

A confidential channel of communication for members of the bench and bar struggling with substance abuse.

The New Year is the perfect time for a fresh start.

Call 852-1777 to learn more.
President’s Letter

continued from page 1

I think “Holly, Jolly Christmas” would also work. Damn, I can hear it again.

I mentioned a few Bulletins ago that I had quickly abrogated my BAE C-duties right after the inauguration Parade for a trip to England. Recently, while reviewing photos taken on this jaunt, I came across a couple that prove this was a working vacation.

The Brits have not yet mastered the art of tasteful lawyer advertising on TV. Neither have we sunk for that matter. However, they are not ones to totally hide their light under a bushel. I’ve included a couple of examples.

The photo proclaiming Quality Solicitors was taken in Louth. It doesn’t say whether the quality is high or low, so apparently, there can be no breach of warranty.

The offer of free station house counseling was in Grimsby. That office was held by the local gaud (note the Shakespearian spelling. My B.A. in English from Canisius College is not for naught). Kind of like a law firm having a branch office in the emergency room at ECMC.

I am going to ask Jonathan Smithers, our man in Kent, to keep us informed if this huckstering continues to expand - even into the telly. I can see the first tag line: “Struck by a Lorry or...”

As this BAE C year has progressed, I have had the pleasure of looking behind the scenes at the great work done by our committees, especially some that I would not normally encounter.

One of these is the Judiciary Committee, which rates candidates for judicial office. Prior to last spring, I had not met the committee chair, Bill Kita, who bears a striking resemblance to Judge Gerry Whalen (cf - the September jaunt). He is a super-organizer guy. This is fortunate because: a) The committee is large and diverse in membership; b) they have a lot of work to do; and c) their time frame is short.

I happened to run into two first-time committee members who were impressed by the thoroughness of the whole vetting process that went into each evaluation. Although not every candidate might be thrilled, this is not a throw-darts-at-the-wall process. Both these folks had kudos for Kita and his leadership, his ability to keep things on track.

I had wondered who provided the adult supervision in a firm with Jim Burgo and Steve Curvis as name partners. Now I know.

Another active and effective committee is the Young Lawyers group. I lost my eligibility there just after the merger of law and equity. Liz Mishry and Craig Bucki form a dynamic duo who provide our newest members great opportunities to plug into the profession.

There are social and networking events, such as their scavenger hunt and the Evening with the Judiciary. The latter, co-sponsored with the Admission to the Bar Committee, drew 98 lawyers and judges to Trum peton Landing on a really blustery November evening. Those of us who have been around awhile remember that, before they ascended to the bench, the Honourables were real people (at least most of them were). This was a chance for the younger attorneys to see up close the bench and bar which is part of our DNA in the Eighth District.

This committee also does significant community outreach with its Yuletide Challenge Toy Drive and the High School Mock Trial Competition, among other efforts. When I was asked to judge a semi-final Mock Trial argument last April, I was very impressed by the preparation and presentation of the ladies and gentlemen involved. This program starts again in February. They can always use judges and there is some CLE credit for your trouble. Give Craig Bucki a call and sign up. You will enjoy it.

For the past several years, the federal government has been most penurious in living up to its responsibility to fund their share of our court system. You know, justice for all, the rule of law. All that stuff. It is ironic that they can scavenge up the change to buy a toilet seat with a comma in the price tag, but the courts can go fish.

Unfortunately, the judicial branch doesn’t have a seat at the table when the deals get made. Chief Judge William Skretny shared with us a letter from all the District Chief Judges setting forth the history of this underfunding.

Your board has adopted resolutions (see pages one and six) supporting an end to this neglect which have been sent to our Congressional delegation. If you share these concerns, I urge you to add your voice. Better to light one candle than curse the darkness.

I am sad to note the passing of another past president of the BAE C, Paul Weaver, who served as president from 1995-96, succumbed to a long illness on October 26. A long-time partner at Javick-Fleischmann & Mepel, Paul was a highly respected corporate lawyer. A number of years ago, I was a director of an organization he represented and had the opportunity to see that his reputation was well deserved. He left us much too soon.

Technological Enhancements

Make Bar Services More Accessible

continued from page 1

Website Enhancements

Recent improvements to the BAE C website also make bar programs and activities more accessible to members. At www.eriebar.org, attorneys can now:

• Register for CLE programs
• Explore new career opportunities
• Join live CLE programs via webcast
• Learn about the latest member benefits and discount programs
• Apply for membership
• Purchase pre-recorded CLE programs
• Review archived issues of the Bulletin
• Pay dues, and much more.

The site also makes it easier for the general public to find a lawyer online using the Lawyer Information and Referral Service. More detailed information about upcoming programs and events is now available as well, along with photos of members attending them.

Become a Contributing Member!

The BAE C bylaws confer “contributing member” status on any member who resides or maintains an office in Erie County and elects to pay an additional $55 in annual dues to help support Association programs. Contributing members enjoy the same rights and privileges as regular members and “such additional rights and privileges as the board of directors shall determine,” including special recognition in the Bulletin, annual dinner program and other publications.
Mobility Policies

For the uninitiated, the acronym “BYOD” looks like a typo. But in the telecommunications context—and the employment context—it stands for “bring your own device,” and it’s what’s happening all over as individuals opt to use their own devices rather than company-provided mobile phones or tablets. The number of issues created when individuals bring their own devices into an enterprise is significant, particularly when the devices have at least two distinct uses/purposes/personalities—business and personal. How should the enterprise reconcile these very different roles played by a single device? Very, very carefully.

From the employer perspective, there are a number of concerns that need to be addressed, whether the deployed devices are employer- or employee-owned. How is it possible to keep what is corporate corporate and what is personal personal on a single device? Is it reasonable to ask an employee to use his/her employer-provided device to perform work? Is it reasonable to ask an employee to NOT use an employer-provided device for personal business/fun? Words with Friends? Is it reasonable to ask an employee to carry around two devices so that business and personal use remain totally separate? And even if the employer makes this request, is it reasonable to think that it can really be done?

This column will raise more questions than it answers, but it has been designed to highlight those issues that are most critical when embarking on the creation of a wireless device or mobility policy. As a side note, whatever policy is created, an employer who is not willing to enforce the policy has wasted a great deal of time drafting it and securing employee buy-in. Absent meaningful enforcement, the policy isn’t worth the paper it’s printed on.

With these challenges in mind, whichever operating model an enterprise chooses, there are two primary topics that should be considered before either handing an employee a device, or asking an employee to use his/her own device for work purposes—namely data security and access protection.

Sarbanes-Oxley Poses Additional Challenges

All publicly traded companies are well aware of obligations under Sarbanes-Oxley (SOX), particularly with respect to maintaining the sanctity and security of corporate data, particularly financial data. With the proliferation of wireless devices, not all of which are employer-owned, how will the publicly-traded enterprise meet the strict obligations that SOX imposes? For those entities that are not subject to SOX, these issues remain.

Is the entity sufficiently sophisticated—and are the employees willing to put up with the hassle of one of the mobility firewalls that exist—to try to preserve corporate data when people take it home at night, even for the most laudable of reasons?

Not only must corporate data be kept protected to keep the employer in compliance with SOX, but as a general rule, entities, be they corporate or otherwise, like to know that the confidential information that they have and use will remain corporate confidential. It’s not impossible, but certainly an additional challenge, to maintain what’s corporately private private when people are either taking the information home or are accessing and manipulating it on devices that they own personally. As such, the issue of keeping corporate data safe and secure is an issue that is right at the top of the list of items to be considered when drafting a policy.

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Resolutions of the Board of Directors to Restore Court Funding

Resolution 1

WHEREAS Article III of the U.S. Constitution establishes as the third branch of government an independent Federal Judiciary, which is essential to the foundation of a free and democratic society; and

WHEREAS flat funding over the last few years has forced the Federal Judiciary to severely reduce the staffing and operations of the U.S. Courts; and

WHEREAS further cuts through sequestration will compromise the Judiciary’s ability to fulfill its constitutional duties, public safety and the quality of the criminal and civil justice systems; and

WHEREAS funding and staffing cuts to the Clerk’s Office for the U.S. District Court for the Western District of New York will result in slower processing of civil and bankruptcy cases, affecting individuals and businesses seeking to resolve disputes in the federal courts; and

WHEREAS the U.S. Probation and Pretrial Office for the Western District of New York, which is responsible for supervising individuals in the community after they have been convicted of a crime and subsequently released from prison, as well as those awaiting trial, has suffered funding and staffing cuts that have undermined its ability to fulfill its supervision duties, potentially placing the public at risk; and

WHEREAS budget cuts have jeopardized funding for grand and petit juries, risking delay in indictments and civil jury trials; and

WHEREAS funding and budget cuts through the sequester has most significantly impacted Defender Services, greatly jeopardizing the Judiciary’s ability to meet its obligations under the Sixth Amendment to the U.S. Constitution to provide counsel for criminal defendants who lack the financial resources to hire an attorney.

THEREFORE BE IT RESOLVED that the Bar Association of Erie County opposes any further budget cuts to the Federal Judiciary, including the U.S. District Court for the Western District of New York; and

BE IT FURTHER RESOLVED that the Bar Association of Erie County calls upon Congress to restore and fully fund the Federal Judiciary; and

BE IT FURTHER RESOLVED that the Bar Association of Erie County urges its President and Executive Director to advocate for the restoration of adequate funding for the Federal Judiciary and to seek such solutions as may be best in order to safeguard the critical constitutional function of the Federal Judiciary to ensure the fair, efficient and effective administration of justice.

*The Bar Association of Erie County has adopted a separate Resolution addressing its concern for proper funding for Defender Services.

Resolution 2

WHEREAS, the Sixth Amendment to the United States Constitution guarantees the defendant the right to the assistance of counsel in all criminal cases; and

WHEREAS, fifty (50) years ago, in the landmark case of Gideon v. Wainwright, the Supreme Court declared that lawyers in criminal cases “are necessities, not luxuries”; and

WHEREAS, fully resourced, appropriately trained and supervised defense counsel are essential to the meaningful exercise of the right to counsel for indigent defendants; and

WHEREAS, some ninety percent of defendants facing criminal charges in U.S. District Court in the Western District of New York qualify as indigent for court appointed counsel; and

WHEREAS, the Federal Public Defender’s Office for the Western District of New York was established in 1992 and serves the 17 western most counties in New York State, including Erie County, and represents a majority of indigent defendants facing criminal charges in U.S. District Court in the Western District of New York; and

WHEREAS, private attorneys who serve the Court as members of the Court’s Criminal Justice Act (“CJA”) panel are appointed to represent those indigent defendants in U.S. District Court where a conflict of interest precludes their representation by the Federal Public Defender’s Office; and

WHEREAS, the Bar Association of Erie County was founded, in part, to facilitate the administration of justice; and

WHEREAS, recent federal budget cuts brought about through sequestration have had a substantial and negative affect upon the Federal Public Defender’s Office for the Western District of New York, resulting in forced, unpaid furlough days for all attorneys and staff beginning in April 2013, as well as staff reductions, leaving the office below its full staffing level; and

WHEREAS, those federal sequestration budget cuts have also resulted in significant cuts to the already modest CJA panel rates as well as scheduled deferments of payments to CJA panel attorneys; and

WHEREAS, these budget cuts threaten to undermine the meaningful exercise of the Sixth Amendment right to counsel for indigent defendants in U.S. District Court for the Western District of New York and, thus, threaten the administration of justice with respect to those defendants.

THEREFORE BE IT RESOLVED that the Bar Association of Erie County opposes any further budget cuts to federal indigent defense services, including the Federal Public Defender’s Office for the Western District of New York; and

BE IT FURTHER RESOLVED that the Bar Association of Erie County calls upon Congress to restore and fully fund the federal indigent defense delivery system; and

BE IT FURTHER RESOLVED that the Bar Association of Erie County urges its President and Executive Director to advocate for the restoration of adequate funding for federal indigent defense services and to seek such solutions as may be best safeguard the right to counsel of indigent defendants under the Sixth Amendment to the United States Constitution and to facilitate the administration of justice.


Resolution 3

WHEREAS the role of the Department of Justice nationally, and locally through the U.S. Attorney’s Office for the Western District of New York, is vital in the administration of the Federal Criminal and Civil Systems of Justice; and

WHEREAS the Department of Justice nationally, and locally through the U.S. Attorney’s Office for the Western District of New York, add to the public coffers through its asset forfeiture and financial litigation unit; and

WHEREAS flat funding over the last few years has forced the Department of Justice and the U.S. Attorney’s Office for the Western District of New York to severely reduce its staffing levels; and

WHEREAS further cuts through sequestration may compromise the ability of the Department of Justice and the U.S. Attorney’s Office for the WDNY to fulfill its critical duties, negatively affecting public safety and the quality of the criminal and civil justice system,

THEREFORE BE IT RESOLVED that the Bar Association of Erie County opposes any further budget cuts to the Department of Justice, including the U.S. Attorney’s Office for the Western District of New York, and

BE IT FURTHER RESOLVED that the Bar Association of Erie County calls upon Congress to restore and fully fund the Department of Justice; and

BE IT FURTHER RESOLVED that the Bar Association of Erie County opposes any further budget cuts to the Department of Justice, including the U.S. Attorney’s Office for the Western District of New York, and

BE IT FURTHER RESOLVED that the Bar Association of Erie County supports its President and Executive Director to advocate for the restoration of adequate funding for the Department of Justice and to seek such solutions as may be best in order to safeguard the critical function of the Department of Justice to ensure the fair, efficient and effective administration of justice.

[1] *1372 U.S. 335, 344 (1963).*
January 2 01 4

By Jonathan Smithers

The law of unintended consequences is one of my favourites, or in this case not.

The start of the global economic crisis begins to feel distant but the ramifications are still with us, and continuing to surface. The economic outlook in this country is better. Expenditure down, tax is up, you know the kind of thing!

Our particular area which currently concerns lawyers in England and Wales is Legal Aid. We have no public defender service so criminal legal defence is outsourced by the government to those firms who want to contract. Rates of pay have stayed the same for 20 years, which has made it a very unattractive area from a business point of view. Most practitioners are solos as their business model does not fit well within a partnership or corporate structure.

Many months ago, the government announced that in this case it now wanted to move towards a system of Price Competitive Tendering (PCT) where the lowest bidder got the work. Bids would have to be at least 17.5 percent less than the current rates. As you can imagine, even with ear defenders on, you could hear the uproar! Not surprisingly the public did not rush to our defence as they are never too keen to spend money on lawyers who defend criminals (the presumption of innocence is very quickly forgotten by the media and the government).

The Law Society campaigned hard (this is the tricky bit – see later) and actively engaged with the government to see what could be done. As you can imagine, even with ear defenders on, you could hear the uproar! Not surprisingly the public did not rush to our defence as they are never too keen to spend money on lawyers who defend criminals (the presumption of innocence is very quickly forgotten by the media and the government).

There have also been other concessions around some of the administrative changes. There will undoubtedly be “consolidation” in the market (there is a euphemism if ever you wanted one). Many of our members will cease to practice. There is no absolute right to money from the public purse and their loss from the ranks of the profession, and the services they provide to some of the most vulnerable members of our society, will be lost.

Some of our members took the view that we should not speak to anybody. They said our slogan should be “just say no.” We have pointed out that the effect of such a campaign would be to allow the government to do exactly what it wanted and throw mud at us too (self-interested lawyers demanding public money better spent on hospitals, teachers, etc). Whilst it may have made the protesters feel better – marching up and down outside the Houses of Parliament with placards gives a certain feel-good factor – but ultimately very unlikely to have any measurable effect.

Not content with criticising us, some members are now seeking to have a motion of no confidence in the President and Chief Executive. I am not sure how that will help, and, having spoken to some of the people who have signed the petition, I am mystified as to what they will achieve other than a lot of hot air and distraction.

As I write this, the date for the meeting was just announced. The stakes are high so the politicking has begun. My money is on a compromise motion but as the moment, everything is up in the air and nobody is blinking.

I did not imagine that my Deputy Vice Presidency would have what might be called euphemistically “moments of unusual interest” but in the spirit of mixing every metaphor I can think of, as they say “whatever doesn’t kill you makes you stronger.”

Happy days!

News from Kent, Our Sister City in Great Britain

By Jonathan Smithers

The Law Society campaigned hard (this is the tricky bit – see later) and actively engaged with the government to see what could be done. As you can imagine, even with ear defenders on, you could hear the uproar! Not surprisingly the public did not rush to our defence as they are never too keen to spend money on lawyers who defend criminals (the presumption of innocence is very quickly forgotten by the media and the government).

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As part of his responsibilities as Deputy Vice President of the Law Society of England and Wales, Jonathan Smithers has the privilege of welcoming new attorneys into the profession at admissions ceremonies. He is pictured above on one such occasion, along with the toastmaster who has been conducting the proceedings for 15 years.
A DUMPSTER DISASTER AND A TRASH TIP TOS

She dumped in the garbage
Lickety split
Never thinking that dumpster
Would suddenly tip.

Over it came
WRECKERS WRECKAGE
On her it came down
And she was covered with stench.

To court she did go
To recover her injuries and her pride
Surely justice would not let
This travesty abide.

Defendant’s dismissal motion is denied, Said the court in its runes most black.
There are issues to be determined
By the finder of fact.

Mangano v. Team of Buschon et al., __AD3rd__ -- 2nd Dept., 11/20/13

NO LACES IN TREASURY’S RETRIEVAL

The Court of Appeals has held that a German museum was not precluded by the doctrine of laches from seeking the return of a gold archeological piece lost during WW II and reported as part of a decedent’s estate. (In the Mtr. of Funamebaum, __NY3rd__ -- 11/14/13)

SNOWMOBILE SUIT GIVES PROCEDURAL TIPS

In the second lawsuit arising out of a snowmobile accident, the motion to dismiss on “res judicata” grounds was denied (different defendant), however collateral estoppel was applied to determine the amount of damages in the second suit. (Felman v. Halverson, __AD2rd__ -- 4th Dept., 11/14/13, #10459)

LEASE LANGUAGE LASHES LANDLORD

The Court of Appeals recently held that the plain language of a lease precluded recovery for alleged substantial damages to the premises when it was vacated by the tenant. (JFK Holding Co. LLC et al. v. CHVI and The Salvation Army, __NY3rd__ -- 11/14/13)

A SUPPRESSION LESSON

The harmless error doctrine generally cannot be used to uphold a guilty plea that is entered after the improper denial of a suppression motion. (Pros. v. Mella, __NY3rd__ -- 11/14/13)

WORTH QUOTING

“Live your truth. Express your love.
Share your enthusiasm. Take action
Towards your dreams. Walk your talk.
Dance and sing to your music.
Embrace your blessings. Make
Today worth remembering.”

Steve Maraboli

COMP CREDIT COUNTED

The Court of Appeals recently held that a workers’ compensation carrier can take offset credit for the proceeds of a civil rights lawsuit against the employer for injuries arising out of the same incident. (In the Mtr of Mtns v. Office of Children and Family Services et al., __NY3rd__, 11/19/13)

INDEMNIFICATION ELIMINATION

A municipality may withdraw its defense and indemnification of current and former municipal officials and officers in a civil action if they refuse to accept a reasonable settlement offer. (In the Mtr of Louisville v. Bisk joined by City of Freeport et al., __NY3rd__, 11/19/13)

DEFINING “DEPRIVED”

In Pros v. Hedges (__NY3rd__, 11/21/13), the Court of Appeals upheld a “deprived indifference to human life” conviction involving an intoxicated driver. See also Prestigimano v. Inns et al., __AD3rd__ -- 4th Dept., 11/15/13, #1196.

AN EASEMENT EDUCATION

Documentary evidence of the existence of an easement required dismissal of this complaint. (Prestigimano v. Inns et al., __AD3rd__ -- 4th Dept., 11/15/13, #1196)

CUSTOM CORRAL

Family Court’s award of sole custody to the mother properly took into account the father’s infidelity, but only as evidence of his inability to put the needs of the children before his own. (In the Mtr of Lawson v. Lawson, __AD3rd__ -- 4th Dept., 11/15/13, #1181)

Substantial evidence of negative behavior by the child formed a sufficient basis for a transfer of custody to the father. (In the Mtr of Brewer v. Sela, __AD3rd__ -- 4th Dept., 11/15/13, #1160)

Incidents of domestic violence in the mother’s household were held to be a sufficient change of circumstances to warrant a change of primary physical custody to the father. (In the Mtr of Lawson v. Lawson, __AD3rd__ -- 4th Dept., 11/15/13, #1181)

Aside from domestic violence in the mother’s household, there are issues to be determined by the finder of fact.

A SUPPRESSION LESSON

The harmless error doctrine generally cannot be used to uphold a guilty plea that is entered after the improper denial of a suppression motion. (Pros. v. Mella, __NY3rd__ -- 11/14/13)

SLIP TIPS AND STUMBLE BUMMIES

Plaintiff’s suit based on an alleged slip on stairs while helping a friend move was dismissed based upon admitted facts that he had been up and down the stairs multiple times prior to the fall. (Peo. v. Perry et al., __AD3rd__ -- 4th Dept., 11/15/13, #1196)

A suit based on defendant’s alleged fall down a stairway was dismissed when a fact finder’s verdict would have to be based on “sheer speculation.” (Hed v. Orchard Fields LLC, __AD3rd__, -- 2nd Dept., 11/20/13)

A claim of a slip and fall on a proverbial “banana peel” was dismissed in States v. Strentz of City Ave. (Peo et al. v. __AD3rd__, --2nd Dept., 11/20/13)
DISCOVERY

In Fingerhut v. Chautauqua Institute Corp. (07-CV-502-JTC, 10/31/13), plaintiff, who was struck by a falling tree on defendant’s property, sought photographs taken by defendant’s insurance carrier shortly after the accident, which defendant withheld as “work product” prepared in anticipation of litigation. The court granted plaintiff’s motion to compel, finding that defendant’s privilege log and other submissions did not include information sufficient to determine whether the photographs “were generated as a part of the [insur-er’s] ordinary practice of investigating an occurrence involving an insured prior to a decision on coverage, or [following] the point at which the insurance company might have shifted from collecting information and evaluating a claim to preparation for a lawsuit.”

EDUCATION

In Routh v. University of Rochester (11-CV-6606-CJS, 11/5/13), plaintiff sued the university and a female student who had filed a complaint against him after he was expelled following a disciplinary hearing at which he was found guilty of sexual misconduct. Among other holdings, the court (i) denied plaintiff’s motion to add claims against the university for breach of contract and gender discrimination; (ii) declined to exercise supplemental jurisdiction over plaintiff’s Article 78 claim and dismissed that claim without prejudice; (iii) denied the defendant student’s motion to dismiss plaintiff’s defamation claim based on common interest privilege; (iv) granted the defendant student’s motion to dismiss plaintiff’s claim for intentional infliction of emotional distress; and (v) denied the defendant student’s motion to seal the complaint.

INITIAL DISCLOSURES

In Kodak v. E.I. Du Pont De Nemours (08-CV-6555-FPG, 11/4/13), defendant served an initial disclosure in 2009 stating that its counterclaim sought two categories of damages totaling approximately $6 million. Defendant’s pretrial statement of damages filed in 2013 listed additional categories of damages totaling another approximately $6 million. The court granted plaintiff’s motion in limine precluding defendant from seeking damages in excess of those claimed in its initial disclosure. In so holding, the court rejected defendant’s argument that the failure to supplement its initial disclosure was harmless because the information supporting its damage claims had been disclosed on discovery and because plaintiff had the opportunity to ask defendant’s Rule 30(b)(6) damages witness about the full scope of defendant’s claimed damages when he was deposed. “By its plain terms, Rule 26 requires more than simply providing a mountain of documents to your opponent. Instead, it requires a computation of damages to be provided.”

Tour of the Courts

The BAEC’s Admission to the Bar Committee recently conducted a Tour of the Courts for attorneys admitted to practice five years or less. Formerly held in conjunction with the Life After Law School program, the tours were resurrected by Committee Chair Jennifer A. Beckage.

Three groups of attorneys had an inside look at the NYS Supreme Court, Erie County Surrogate’s Court, and the NYS Court of Appeals. The next Tour of the Courts is planned for April 2014. Please check www.eriebar.org for details.

continued on page 14
Special Thanks to Our Attorney Arbitrators!

On behalf of the board of directors and staff of the Bar Association, we extend our deepest appreciation to the attorneys who volunteered their expertise to arbitrate fee disputes during 2013. The dispute resolution program is a valuable public service. And it simply could not be operated without the generous contributions of time and talent given by these dedicated volunteers. Special thanks to all who participated!

Kristin Langdon Aruan
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Scott A. Bylewski
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Michael Heron
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F. Gerard Hogan
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Ayoka A. Tucker
Paul A. Vance
Elizabeth Rindskopf Parker

National Security Letters

In the last three columns, we discussed government surveillance approved by the Foreign Intelligence Surveillance Act (FISA) court. This month, we will examine one of the government surveillance tools that does not require a court order.

A National Security Letter (NSL) - a tool authorized by 12 U.S.C. § 3404(a)(5), 15 U.S.C. § 1681u(a) and (b), 15 U.S.C. § 3141, and 18 U.S.C. § 3150 - is essentially an administrative subpoena served upon an entity such as a phone company, Internet service provider, credit bureau, travel agency, or bank. The subpoena requests information like phone numbers dialed, financial records, travel information, or email addresses listed in a “to” or “from” field. An NSL is supposed to be based on the government’s belief that the information requested is relevant to an investigation into terrorism or espionage.

Entities receiving an NSL are prohibited from disclosing the government request if, as is typical, the government certifies that disclosure would cause one or more enumerated harms. The burden is on the government to support its certification. The key issue is whether the government request is authorized under the statute.

In March 2013, Judge Susan Illston of the Northern District of California ruled that NSLs are unconstitutional because of the gag order provisions. In re National Security Letter, C 11-02173 SI (N.D. Cal. 2013).

“The New York Times” reported that the U.S. military and CIA were using NSLs for purposes of domestic intelligence gathering.

By Anne F. Downey
Law Day and Annual Dinner Award
Nominations Sought

The Bar Association is now accepting nominations for this year’s Law Day and Annual Dinner Awards.

LAW DAY AWARDS

Our annual Law Day luncheon and awards ceremony marks the culmination of months of law-related educational activities, including the high school Mock Trial Tournament and poster contest. In addition, members of our Speakers Bureau have been educating the public about the justice system in schools and community organizations.

Our long-standing Law Day tradition involves honoring local attorneys and non-attorneys who have distinguished themselves in service to the law and the ideals of the Constitution. The Bar Association presents several awards on Law Day, including the:

- Liberty Bell Award
- Special Service Award
- Police Officer Award
- Justice Award
- Media Award
- Rev. A. Joseph Bissonette Pro Bono Award

How to Nominate a Candidate for a Law Day Award

Nomination forms for candidates for all the Law Day Awards are available at www.eriebar.org. Completed forms should be forwarded to Jennifer M. Dillon, Awards Committee Chair, at the Bar Association office. The deadline for receipt of nominations is January 3, 2014.

ANNUAL DINNER AWARDS

Each year at the Annual Dinner, the BAEC recognizes lawyers and judges who have made outstanding contributions to the Association, the legal community and the profession.

Winners are selected by nominations sent from the membership to the Awards Committee. The board of directors reviews the recommendations of the Awards Committee and makes the final determinations. Please consider submitting your nomination(s) for the following awards:

- Lawyer of the Year Award
- Outstanding Jurist Award
- Charles H. Dougherty Civility Award
- Special Service Award
- Award of Merit

How to Nominate a Candidate for an Annual Dinner Award

Nomination forms for candidates for all Annual Dinner Awards are available at www.eriebar.org. Completed forms should be forwarded to Jennifer M. Dillon, Awards Committee Chair, at the Bar Association office. The deadline for receipt of nominations is February 7, 2014.

For further details and award criteria visit www.eriebar.org.
It’s a Brave New E-world…

In addition to our Web site, www.eriebar.org, news, information and updates can now be found on Facebook, Twitter and LinkedIn.

As part of our ongoing effort to communicate timely information to our members, you will also receive e-newsletters from us about upcoming CLE programs, career opportunities and news items that come to our attention between issues of the Bulletin. If for any reason, you have not been receiving these materials or choose not to receive them, please contact Brittany Lusongo at 852-8687 ext. 121 or blusongo@eriebar.org.

As always, your comments, questions and suggestions are invited.
New York has enacted the Uniform Guardianship and Protective Proceedings Jurisdiction Act as Article 83 of the Mental Hygiene Law (MHLL), and it will become effective April 22, 2014. The Act only deals with jurisdiction involving guardianships, and related issues, both under Article 81 of the MHLL, and Article 17 of the Surrogate’s Court Procedure Act. The Act is intended to deal with guardianship issues involving multiple states, and facilitates transfer of the supervision of a guardianship from the courts of New York to the courts of another state, or vice versa when the ward has moved.

As the prefatory note to the Uniform Act observes, contested guardianship cases in more than one state have become more common because an adult in need of a guardian may become physically located in a state other than the adult’s domicile. This could arise when a parent loses capacity and a child moves the parent to the state of the child, or, in cases of intra-family conflicts, it may be the result of “Granny Snatching.”

Absent this Act, a court might decline jurisdiction because the adult in need of a guardian is not present in the jurisdiction, or, two courts might grant conflicting orders of guardianship. Guardianship is one area in which full faith and credit is not constitutionally required to be given to the orders of a court of another state. The Act provides a mechanism to resolve such multi-jurisdictional disputes.

Also, it is common for financial institutions or care facilities in one state to refuse to recognize the authority of a guardianship order issued by a court of another state. Transfer of a guardianship from the original court which issued the order of guardianship to the supervision of a court of the state in which the individual is currently located could avoid this problem.

The Act deals with both guardianships of the person, and guardianships of property. The Act also includes as “protective orders,” orders for the appointment of a conservator of property or other orders related to the management of an adult’s property (Section 83.03).

The Act permits a court in New York to communicate with a court in another state concerning a guardianship (Section 83.07). It also allows cooperation between courts in separate states in regard to things such as producing evidence, taking testimony, ordering evaluations and investigations, issuing orders to assure appearances, and issuing orders in regard to release of medical and other relevant information (Section 83.09).

The New York Act substantially enacts the Uniform Act as issued by the National Conference of Commissioners on Uniform State Law. But the New York Act does not contain the prefatory note, or the comments to the Uniform Law. Anyone who may be involved in a multi-state guardianship situation would do well to review the prefatory note and comments to the Uniform Law found at the website of the National Conference (www.uniform_laws.org).

The Act defines an individual’s “home state” as the state in which the individual was physically located for at least six consecutive months, including any period of temporary absence, immediately before the filing of the petition for appointment of a guardian [Section 83.03 (E)]. Thus, the home state court may issue a valid order of guardianship, even if the individual has been removed from the jurisdiction.

But a court which is not the home state of the individual has jurisdiction to issue an order of guardianship if the court is a “significant-connection state” and no proceeding is pending in the home state [Section 83.17]. Section 83.13 of the Act lists a number of factors which determine whether the forum state has a significant connection, including location of the individual’s family and other persons required to be notified of the guardianship proceeding, the length of time the individual was physically present in the forum state, the location of the individual’s property, and the extent of the individual’s other ties to the forum state, such as voting, payment of taxes, driver’s license.

The home state has primary jurisdiction to issue an order of guardianship. But a significant-connection state has jurisdiction to appoint a guardian if the home state does not file the petition for appointment of a guardian within 90 days of the filing of the petition for appointment of a guardian in the forum state (Section 83.09).
Death and Taxes
continued from page 13

The Act also facilitates transfer of already existing guardianship to another state. In order to make a transfer, court orders are necessary from both the court transferring the case and from the court accepting the case. The order of the court accepting the case is filed in the transferring court. To facilitate the transfer, the court of the accepting state must give deference to the transferring court’s finding of incapacity and selection of the guardian.

Section 83.31 of the New York Act provides that a guardian of the person or of the property appointed in New York may petition to transfer the guardianship to another state, and that after a hearing the court shall issue an order provisionally granting the transfer and shall direct the guardian to petition for guardianship in the other state if the court is satisfied that the guardianship will be accepted by the court in the other state, and the court finds: (1) the ward is physically present in, or is expected to move permanently to, the other state; (2) no objection has been made, or sustained, to the transfer; (3) plans for the care of the person of the ward in the other state are reasonable and sufficient. The Act contains similar provisions for transfer of a guardianship into New York (Section 83.33).

As an alternative to transfer of a guardianship from another state to New York, the Act authorizes a guardian of the person or property to register the guardianship in New York by filing as a foreign judgment in a court, in any appropriate county, certified copies of the order and letters of office. Upon registration, the guardian may exercise in New York all powers authorized by the order of appointment, except as prohibited under the laws of New York (Section 83.39).

Section 1758 of the SCPA is amended to make guardianships in Surrogate’s Court subject to the new Article 83.

Anti-Lapse Statute Amendment
EPTL §3-3.3, known as the Anti-Lapse Statute, provides that a disposition in a will to issue or siblings of the testator will not lapse if such issue or siblings predecease the testator, but will pass to the issue of such issue or siblings, unless the will provides otherwise. For instance, a bequest in a will to a brother would pass to the brother’s issue if the brother predeceased the testator.

The statute provides that it does not apply to issue or siblings of the testator who died prior to the execution of the will. But there is a potential ambiguity in that exception. For instance, if the testator’s child A dies leaving an issue, and then the testator executes a will leaving his estate to his issue per stirpes, do the issue of A not take because A predeceased the execution of the will? A recent amendment to EPTL 3-3.3 makes clear that the exception for persons who predeceased the execution of the will does not apply to gifts to issue, descendants or a class described by language of similar import. So in our example, the issue of A would take under the new amendment.

Also, another amendment to EPTL 3-3.3 makes clear that the anti-lapse statute applies to a gift of a future estate in a will. For example, assume a will creates a trust to pay income to testator’s spouse for life, remainder to children A, B and C. If A dies after the execution of the will, but before the testator, will A’s share of remainder interest pass to his or her issue? There was a question about that. The amendment to EPTL 3-3.3 now makes clear that the anti-lapse provisions will apply to such a disposition of a future estate, other than a future estate subject to a condition precedent of surviving the testator.

Both amendments to EPTL 3-3.3 are effective immediately.

Court Tours
continued from page 9

the Erie County Clerk’s Office, Erie County Family Court, Buffalo City Court and the NYS Supreme Court Library. The tour concluded with a luncheon and presentation at the NYS Supreme Court Library. Special thanks to Aaron Aisen, Robert Bardo, Daniel J. Marren and Daniel C. Tronolone, who also served as tour guides. The committee would also like to thank Hon. Paula Federele, Hon. Eugene F. Pigott, Jr., Andrew B. Kernberg, Rebecca L’Acivita, Patricia Fulwiler, Daniel Johnston, Judge Amodeo and his clerks, and Jeannine Lee for conducting tours and addressing each of the groups.

Thanks also to the following sponsors Batavia Legal Printing, Gibson, McAuliff & Orosz, Jack W. Hunt & Associates, Inc., Phillips Lytle LLP and Tronolone & Surgalla, who offset the costs and helped make the program more affordable for newly-admitted attorneys. [B]
The 23rd Annual Western District of New York Federal Court Dinner was held in partnership with the Monroe County Bar Association at the Marquis de Lafayette in Buffalo. Timothy J. Graber, of Gibson, McAskill & Crosby, was awarded the 2013 Pro Bono Award for Buffalo. James Holahan, of Bond Schoenbeck & King, received the 2013 Pro Bono Award for Rochester. Cheryl Meyers Buth, of Murphy Meyers, was also honored at the event, receiving the 2013 Criminal Justice Act Award.

The Pro Bono award is presented in recognition of and appreciation for “distinguished work representing indigent civil litigants, often in civil rights cases, in the U.S. District Court for the Western District of New York, and for demonstrating extraordinary commitment, dedication, skill, and professionalism, in ensuring equal access to justice for all.”

The Criminal Justice Act award is presented in recognition of and appreciation for “distinguished criminal defense work representing indigent defendants in the U.S. District Court for the Western District of New York, and for consistently providing stellar and zealous advocacy to ensure that each criminal defendant receives a full and fair defense without regard to financial circumstances.”

Special thanks to Paramount Settlement Planning, LLC, The Daily Record, and Counsel Press for sponsoring the event!
Sixth Annual Champions of Justice Bash

Photos by Gregory Stewart, VLP Supervising Attorney

Jeffrey C. Mannillo; Becky Marie Powell, Steven Potycz; Nina S. Cherian, LAB Staff Attorney; Jen Wohlfeil; Shannon E. Filbert, LAB Staff Attorney; Lana V. Tupchik, West Seneca Town Prosecutor; Thomas R. Smith, Confidential Law Clerk to Judge Rosalie S. Bailey; and Holly L. Schoenborn of Lewis & Lewis.

Jacob Hebdon; Sarah Duval, LSED Staff Attorney; and Jack Brill.

LSED Award winners include Diane Oyler of Erie County Department of Senior Services (accepting the Community Partner Award for Randy Hoak); Jessica Fields of Delaware North Companies (Volunteer of the Year Award); Karen L. Nicolson, LSED CEO; Doreen Sweeny of Buffalo Pharmacies (Medical Partner of the Year Award); BAEC President and Honorary Chair Michael Ryan; and Cindy Frost of Buffalo Pharmacies (Medical Partner of the Year Award).

The venue for the Champions for Justice Bash moved downtown this year and proved to be a huge success. More than 400 supporters of equal justice gathered at the Pearl Street Grill & Brewery to support the work of the staff and volunteers of the ECB/A Volunteer Lawyers Project (VLP), Legal Services for the Elderly (LSED), and the Legal Aid Bureau (LAB).

BAEC President Michael J. Ryan served as honorary chair of the event.

“The publicity promised “no boring speeches” and that promise was kept,” according to Robert M. Elardo, Managing Attorney/CEO. “There were no speeches at all at the Bash. Instead, it was again a great opportunity to catch up with old friends and to meet new ones. There was plenty of food, an open bar and many attractive auction items.”

Karen Nicolson, CEO of Legal Services for the Elderly, called the event a financial success for VLP, LSED, and LAB.

“It is wonderful to see so many people having fun and supporting our three programs,” Nicolson said.

Special thanks to the following for sponsoring the Champions for Justice Bash:

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Connors & Miranda, LLP
National Fuel
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Rich Products
Rupp, Baase, Pfalzgraf, Cunningham & Coppola, LLC
Supermarket Management/Tops Niagara St.
Among the VLP Pro Bono Award winners are, front row: Frank J. Longo (Family Court Award); Sean W. Costello of Rupp, Baase, Pfafgraf, Cunningham, & Coppola (Unemployment Benefits Award); Bernadette Hoppe (Divorce Award); Ann E. Evenko of Hurwitz & Fine (Law Firm Commitment Award); and Kevin Mulvehill of Phillips Lytle (Immigration Award). Back Row: BASC President and Honorary Chair Michael J. Ryan; Jennifer P. Stergion (Solo Practitioner Award); Michael J. Mettille (Eviction Defense Award); Robert M. Elardo, VLP CEO; Robert Heary of Hiscock & Barclay (Law Firm Commitment Award); Franklin W. Heller of Damon Moore (VLP Partner Law Firm); and Joshua Feinstein of Hodgson Russ (VLP Benefactor Law Firm).

Legal Aid Bureau (LAB) award winners include:
- Lisa R. Strand, LAB Chief Attorney of the CLS Unit;
- Peter Pile of Joining Community Forces (Veteran Advocate Champion for Justice Award);
- Julie Butkowski of the International Institute of Buffalo (Domestic Violence Advocacy Champion);
- Diana Ganzemuller of the Buffalo Urban League (Housing & Consumer Rights Champion);
- David C. Schopp, LAB CEO; Paul B. Curtin, LAB Managing Attorney of CLS Unit;
- Scott Laughlin of Consumer Credit Counselling Services of Buffalo (Consumer Rights Champion); and
- Tammi Rogers, U.S. Probation Officer (Reentry Services Champion).

Prior to the Bash, President Ryan assisted VLP, LSED and LAB in hosting an awards reception to recognize outstanding volunteers and supporters of each of the civil legal services providers.

“Although there were speeches at the reception, none of them were boring!” Elardo said. “Instead, we heard inspiring stories about what each of the award winners had done to earn recognition.”

Among those recognized was Hon. Michael F. Griffith, acting Supreme Court Justice and Supervising Judge for the Family Courts in the Eighth Judicial District.

The complete list of award winners is as follows:

**VLP Pro Bono Awards**
- Judicial Award: Hon. Michael F. Griffith
- Law Firm Commitment: Hiscock & Barclay, LLP
- Solo Practitioner: Jennifer P. Stergion
- Divorce: Bernadette Hoppe
- Family Court: Frank J. Longo
- Eviction Defense: Michael J. Mettille
- Unemployment Insurance: Sean Costello
- Immigration: Kevin Mulvehill
- Litigation: John P. Feroleto
- Not-for-Profit: Martha Buyer

**Legal Aid Bureau Awards**
- Reentry Services: Tammy Rogers
- Domestic Violence Advocacy: Julie Butkowski
- Consumer Rights: Scott Laughlin
- Housing & Consumer Rights: Diana Ganzemuller
- Veteran Advocate: Peter Pile

**LSED Awards**
- Community Partner: Randy Hoak
- Corporate Partner: National Grid & Miguel Santos
- Medical Partner: Buffalo Pharmacies
- Volunteer of the Year: Jessica Fields
Special Savings for BAEC Members

Bar Association of Erie County members can now easily accept credit and debit card payments from clients!

It is critical for attorneys to handle transactions between their trust and operating accounts correctly. With the LawPay program, attorneys can accept credit cards with confidence knowing their transactions are handled correctly. LawPay meets the requirements for the American Bar Association trust account guidelines as well as the Attorney’s Professional Code of Conduct. As a result, LawPay is approved and recommended exclusively by 39 state and 48 local bar associations.

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Now through December 30, 2013, the $150 virtual terminal fee is waived for all BAEC members!

In addition, if you open a LawPay account by December 30, 2013, program fees will be waived for three months!

Call 866-376-0950 or visit www.law-pay.com/eriebar to take advantage of this offer.


“Virtually every chapter includes a section on ‘practice materials’ with checklists and forms to assist the practitioner.”

By Lawrence J. Vitolo

From broad and general topics such as subject matter jurisdiction and trials, to specific and even esoteric topics such as franchising and export controls, the third edition of Robert L. Haig’s Business and Commercial Litigation in Federal Courts is comprehensive to say the least. Like commercial litigation itself, it has exploded over the years, from a six-volume first edition, to an eight-volume second edition, to its current 11 volumes. It covers 130 chapter topics written by more than 250 authors. It will take up a shelf and a half of your library space. But despite its length and comprehensive scope, the treatise is user-friendly and accessible, in large part because of its format. Each chapter is divided into bite-sized sections - some only a paragraph, most not more than a few pages. And like most good reference books, its table of contents is a road map directing the user to the chapter and section that will have the answer to his or her question, or at least ideas on how to start finding that answer.

The first half of the treatise - 66 chapters in just over five volumes - addresses issues that cut across all types of cases: provisional remedies, class actions, depositions, trials, appeals, and the like. The remainder of the treatise - 64 chapters in nearly six volumes - addresses particular types of cases, with chapters on antitrust, medical malpractice, copyright, privacy, environmental claims, and e-commerce. The treatise handles a topic of increasing importance for today’s commercial litigator. It begins with a short section defining the topic and limiting the chapter’s discussion to the general considerations presented by investigations rather than the unique issues that might arise in particular types of cases addressed in other chapters. The authors then look at what might trigger an internal corporate investigation, the purposes and strategies behind such investigations, and the pros and cons to be weighed in deciding whether to conduct an investigation.

Bench and Bar continues from page 3

and filing space. The firm expects to drop its annual paper consumption by at least 20 percent through a number of technology-aided conservation methods.

Buffalo Mayor Byron W. Brown noted that more than $500 million in economic development activity is now underway in the Canalside area, including the $175 million HarborCenter project stemming from his plan to transform a parking lot into a job-producing investment.

“As Canalside continues to grow and succeed, we expect it to spur even more investment and job growth,” Mayor Brown said.
As part of that calculus, the chapter addresses how the government encourages internal corporate investigations through criminal, civil, and administrative proceedings, providing specific examples of the benefits available to companies that cooperate with government regulators and investigators.

The authors then tackle the investigation itself, beginning with whether the investigation should be done in-house or by outside counsel and then addressing the actual performance of the investigation. In the course of that discussion, the authors examine important issues for the attorney investigator, including keeping an eye on exactly who the client is, managing documents, maintaining privilege while conducting witness interviews, and reporting the results of the investigation. They then address employee discipline and other corrective or remedial actions that might result from an investigation. And they conclude with a checklist and sample forms that might be used during the course of an investigation.

Needless to say, because of the sheer number of topics and subtopics it covers, it would be impossible for the treatise to address all of them in depth and detail. The four-paragraph section on identifying the client in a corporate investigation is necessarily superficial, for example. If topics like this were covered with the analysis of a law review article, the 11 volumes of the treatise would multiply exponentially. But that is a quibble, and an unfair quibble at that. The treatise is what it is: an analysis of the law and recurring issues for commercial litigators in federal court. It accomplishes its ambitious task by addressing topics that cut across all cases and then by addressing specific types of cases. And it does all that with a healthy dose of substantive and procedural law, as well as the practical considerations that arise when tackling those substantive and procedural issues.

Robert Haig’s Business and Commercial Litigation in Federal Courts is certainly not bedtime reading. Even the chapters that sound interesting—“Sports,” “Entertainment,” for example—are too technical for that. But if you have a federal court case on one of those topics—on Environmental Claims, Government Contracts, or any of the dozens of specific types of cases the treatise addresses, you will do well to read the appropriate chapter. And if your federal court case raises any of the many thorny issues addressed in the more general chapters of the treatise, you will do well to pull it off the shelf. It may not answer the question you have in the depth you need it answered, but it likely will point you in the right direction and get you thinking about the issues and strategies that you should be thinking about. Business and Commercial Litigation in Federal Courts should be on the bookshelf of every commercial litigator with a federal court practice. [B]

“You and the Law” Educates Public on Legal Issues

We appreciate the time that the following members of our legal community have taken to educate the public about legal matters by volunteering their time to appear on You and the Law. The program airs every Friday at 5:45 p.m. during NPR’s “All Things Considered.”

Lindy Korn
The Rise of Pregnancy Discrimination

Anne F. Downey
Trademarks & Domain Names

Barbara Piazza
Trademarks & Wine Labels

Sarah Duval
Elder Abuse

Hon. E. Jeannette Ogden
TBA

You and the Law is underwritten by the Erie County Bar Foundation and the Lawyer Referral and Information Service of the BEC. If you would like to appear as a guest on the program, please contact Alex Basinski at 852-8607, ext. 118 or by e-mail at abasiniski@eriebar.org.
I had a secret. I drank too much. Every day, I drank enough to be considered binge drinking. I knew I had a problem. I knew I was an alcoholic. I knew there was nothing I could do about it. I lived in fear every day of being found out. I lived every day in fear that my nightly drinking would somehow show up in my work.

I was what might be called a “functional” alcoholic. I suspect there is no such thing, in retrospect. I did not call in sick to work; in fact I hardly took any time off work at all. This allowed me to delude myself, for awhile anyway, into believing that my situation was tenable. I had rules, you see: no drinking after 10:00 PM; no going in to work late; no drinking at work. They were good rules, and they worked. Until they didn’t anymore. I didn’t break them all at once. It happened insidiously, over time. By the time I realized that I had been deluding myself, I was convinced there was no way to stop my drinking.

I was wrong about several things. Firstly, my drinking was not a secret. Woed had gotten around. I was confronted by my partners. I lied. It was not convincing. My partners sent me to the lawyers’ AA meeting. I went, fearing I would lose my job. I sat through a meeting full of former drinkers telling their stories and firmly believing that none of what they said applied to me. I had a plan. I would just learn to control my drinking better, to dissemble better and to cover my tracks better. That seemed the only possibility, as quitting drinking was impossible.

That brings me to the second thing I was wrong about: I was wrong about being unable to stop drinking. It wasn’t easy. It didn’t happen overnight. I kept going to AA meetings. Along the way I had an epiphany that the stories being told at the AA meetings did apply to me. At some point, the balance tipped in favor of the thought of quitting drinking actually being more plausible than continuing to drink. AA promotes a belief in a higher power. Not a specific one, not one that is prescribed. Just something larger than the individual.

Even my ego could accept the concept that maybe, just maybe, there was some entity or force in the universe greater than I. At some point, I gave up. I stopped struggling against everything and, at that moment, my life became much better. I believed that I could stop drinking. I did stop. What stopped after that was the fear that I had lived with for years. I no longer feared being found out. That ship had sailed anyway. But I no longer went to work every day with the dread that I would be confronted with a situation that I had screwed up. Because now, even if I were confronted with a situation that I had screwed up, I knew that I could approach it as a genuine mistake, not one brought on by intoxication or a hangover, and deal with it as a sober person, do my best to rectify it, and move on.

I had been convinced I was alone, that my situation was unique, that no one had gone through or was going through what I was and that my position was hopeless. I was wrong, wrong, wrong and wrong.

“I had been convinced I was alone, that my situation was unique, that no one had gone through or was going through what I was and that my position was hopeless. I was wrong, wrong, wrong and wrong.”
Annual Food Drive Effort to Focus on Monetary Donations

Did you know that a donation of just $15 can feed a family of four for a week? Or that – contrary to popular belief – the hungry people in our community and across the nation are not just the homeless? They are often employed, or live in a household with someone who is. They are the working poor who struggle to provide the daily necessities that so many of us take for granted. For the past 24 years, the Bar Association of Erie County has expressed its commitment to helping the hungry in our community through its Have-A-Heart food drive. Over the history of the drive, several tons of food and substantial financial support have been provided to the Food Bank of Western New York.

This year’s drive has once again focused primarily on monetary contributions. Law firms that wish to collect non-perishable food items may also continue to do so and the Food Bank of Western New York will arrange to pick up the donated items. Please help the hungry in our community by sending in your donation today.

Checks should be made payable to the Food Bank of Western New York and returned with the form at right by Valentine’s Day, February 14th. All donors will receive written confirmation of their contribution directly from the Food Bank.

Speaking Out About the Law

The Bar Association wishes to thank the following members of the Speakers Bureau who volunteered their time to help make particular areas of the law more comprehensible to students and other lay people in western New York.

Marc W. Brown
Law as a Career
Williamsville North High School

If you haven’t already done so, why not consider becoming a member of the Speakers Bureau? Take the opportunity to share your valuable insight on the legal topics of your choice. Not only is speaking out about the law a great community service, but it is also an effective practice-building technique. Call the Bar Association (852-8687) to sign up today!

2014 BAEC “Have A Heart” Food Drive

In Memory of Daniel T. Roach
(Father of Michael J. Roach, Molly Roach and Kate Roach):
Allan M. Leeve
Carol & Frank Busheed
Diane F. Bosse
James W. Grable, Jr.
Jay N. Rosenthal
Jean C. Powers
Jim & Mary Shea
John E. Ballow
Justice Bannister & Staff
Kate Roach & Kevin Hogan
Kathleen M. Sweet
Hon. John & Jane Curtin
Leo M. Lytten, Jr.
Lynn D. Gates
Maryann Saccmanno Freedman
Michael A. Brady
Michael & Christine Roach
Philip Colenier
R. Charlie Miller
Regina A. Del Vecchio
Robert S. Stephens

In Memory of The Admiralty Bar
Of The Western District of New York (USDC):
Fenton I. Harrison

In Memory of Benjamin A. Wisch:
Michael Posilowski

In Memory of Dennis J. Drew, Jr.
(Father of Theresa Drew):
Jennielle R. Schafir

In Memory of Hon. Norman J. Wolf, Jr.:
Frederick A. Wolf

In Memory of Susan M. Townsend
(Sister of Bradlee Townsend and Stephen Townsend):
James W. Smyton

In Memory of David Jay:
Marylin Hochfield

In Memory of Paul C. Weaver:
Anthony D. Maniscalci
Bar Association of Erie County
Candace Vogel & Howard Yood
Coleman Vogel
David K. Piatigorsky
Diane F. Bosse

Frank & Leslie Houck
Heidi Mahon
Hon. Tracy A. Bannister
Hurus M. Fine, P.C.
Jean C. Powers
Jillian E. Brevorka
Jim & Mary Shea
Maryann Saccmanno Freedman
Peter J. Brevorka
Philip H. Wagner, Jr.
Wayne D. Widbaum

In Memory of John Madden:
Karen L. Mathews

In Memory of Hon. Frank A. Sedita, Jr.:
Michael Posilowski

In Memory of Francis B. Pritchard:
Deborah Rogge-Kennedy

In Memory of Marvin Baum:
Franklin W. Hiler

In Memory of Madelyn “Madge” Cleary (Mother of Dennis Cleary and John Cleary):
Candace Vogel & Howard Yood

In Memory of James L. Dowsey:
James W. Smyton

In Memory of William S. Reynolds:
Jay N. Rosenthal
Maryann Saccmanno Freedman

In Memory of Kenneth H. Hall:
Jay W. Wickett

In Memory of William Napoleon:
Jeffrey Freedman & Barbara Hamilton
Maryann Saccmanno Freedman

In Memory of Bob Swados:
Karen L. Mathews

In Memory of Michael J. Flaherty
(Father of Michael J. Flaherty, Jr.):
Maryann Saccmanno Freedman
Michael A. Brady
Michael Posilowski
Robert E. Dwyer

In Memory of My Mother,
Genevieve "Ane" Kullman:
Paul W. Kullman

In Memory of Deborah Sorbin- Barnes:
Richard J. Bannister

In Memory of Francis C. Offermann, Jr.:
James N. Smyton
Jay D. Rosenthal
Maryann Saccmanno Freedman
Michael A. Brady

In Memory of David Twist
(Stepfather of Christopher J. O’Brien):
Jennielle R. Schafir

In Memory of My Father, Albert M. Ranni:
Sarah K. Ranni

In Memory of John Federowicz
Stewart Title Insurance Co.:
William P. Johnson

In Memory of Hon. Thomas P. Flaherty:
W. Donn McCarthy

In Memory of Richard J. Rosche:
Jeffrey Freedman & Barbara Hamilton
Maryann Saccmanno Freedman
Robert S. Stephens

In Memory of Arnold Gardner:
Marylin Hochfield

In Memory of Dan & Karin Roach:
Karen L. Mathews

In Memory of Julia E. Roberts:
Brown & Kelly, LLP

In Memory of Aurther F. Dobson:
Michael A. Brady

In Memory of Carmen P. Tarantino:
Kathleen M. Sweet

In Memory of Frank Gaglione:
Wayne D. Widbaum

The Foundation gratefully acknowledges the following contributions:

Foundation Contributions to Benefit Profession

Contributions to the Erie County Bar Foundation provide an excellent vehicle for recognizing and honoring members of our profession. Memorial gifts to the foundation become a lasting tribute to the entire legal profession, as funds are used exclusively to assist attorneys and promote understanding of our legal system.
**PLEASE NOTE: The Erie Institute of Law is unable to issue partial credit for seminars, except for multiple session programs such as the Tax and Leadership Institutes. If you have questions about whether a program qualifies for partial credit, please call Mary Kohlbacher at 852-8687.**

**CHECK OUR CALENDAR FOR UPDATES AND ADDED PROGRAMMING AT WWW.ERIEBAR.ORG**

### Date/Time/Location

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Topic</th>
<th>CLE Credits</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Friday, January 10, 2014</strong></td>
<td>9:00 a.m. – 12:00 p.m.</td>
<td>Adelbert Moot CLE Center 438 Main St. Buffalo, NY</td>
<td>Why to Consider HR Outsourcing and What it Means to Your Client (Live Seminar presented by Alcott HR)</td>
<td>3.0 credits</td>
<td>Live Seminar: $65 members $100 non-members Webcast: $100 members $150 non-members</td>
</tr>
<tr>
<td><strong>Wednesday, January 15, 2014</strong></td>
<td>1:00 p.m. – 5:00 p.m.</td>
<td>Adelbert Moot CLE Center 438 Main St. Buffalo, NY</td>
<td>Beyond the Numbers A 360 View of Business Valuation Series Part 1 - Reading and Understanding Income Tax Returns and Financial Statements (Midday Learning Lecture presented by Brisbane Consulting Group)</td>
<td>1.0 credit</td>
<td>Live Seminar: $40 members $45 non-members Webcast: $50 members $55 non-members</td>
</tr>
<tr>
<td><strong>Friday, January 17, 2014</strong></td>
<td>1:00 p.m. – 2:00 p.m.</td>
<td>Adelbert Moot CLE Center 438 Main St. Buffalo, NY</td>
<td>A View from a Vocational Expert: A Brief Walkthrough of the Vocational Assessment (Midday Learning Lecture presented by the Committee for the Disabled)</td>
<td>1.0 credit</td>
<td>Live Seminar: $50 members $55 non-members Webcast: $50 members $55 non-members</td>
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<tr>
<td><strong>Wednesday, January 22, 2014</strong></td>
<td>1:00 p.m. – 2:00 p.m.</td>
<td>Adelbert Moot CLE Center 438 Main St. Buffalo, NY</td>
<td>Filing Judgments in the Erie County Clerk’s Office (Midday Learning Lecture presented by Patricia Fulwiler)</td>
<td>1.0 credit</td>
<td>Live Seminar: $40 members $45 non-members Webcast: $50 members $55 non-members</td>
</tr>
<tr>
<td><strong>Thursday, January 23, 2014</strong></td>
<td>1:00 p.m. – 2:00 p.m.</td>
<td>Adelbert Moot CLE Center 438 Main St. Buffalo, NY</td>
<td>Case Law Update from Erie County Surrogate’s Court (Midday Learning Lecture presented by the Practice and Procedure in Surrogate’s Court Committee)</td>
<td>1.0 credit</td>
<td>Live Seminar: $20 members $25 non-members Webcast: $30 members $35 non-members</td>
</tr>
<tr>
<td><strong>Wednesday, January 29, 2014</strong></td>
<td>1:00 p.m. – 2:00 p.m.</td>
<td>Adelbert Moot Center 438 Main St. Buffalo, NY</td>
<td>Fourth Annual Statutory Update: What Came Out of Washington and Albany in 2013 (Midday Learning Lecture presented by Frank House)</td>
<td>1.0 credit</td>
<td>Live Seminar: $20 members $25 non-members Webcast: $30 members $35 non-members</td>
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### Erie Institute of Law Registration Form

Please register me for the following Erie Institute of Law sponsored events:

1. __________________________________________________
2. _________________________________________________
3. _____________________________________________

Name:______________________________________________
Firm:_______________________________________________
Street Address:__________________________________________________________________________________
City: _______________________________________________State: ______________________Zip:_____________
Phone: _____________________________________________E-mail:______________________________________
Enclosed is my check in the amount $_________________ [ ] Check enclosed Charge my: [ ] Visa [ ] MasterCard

Card Number:__________________________________________ Exp. Date:______________________ Cardholder Signature:___________________________________________

Cancellation Policy: If you are unable to attend a seminar for which you have already registered, The CLE department at 852-8687. For a full refund, notice of your cancellation must be received before the date of the program. Registrants who are pre-registered and fail to attend will receive course materials in lieu of a refund. Mail or Fax to: Erie Institute of Law, 438 Main Street, Sixth Floor, Buffalo, New York 14202, (716) 852-8687, Fax (716) 852-7641.
LISTEN, LEARN & EARN!

In today’s competitive, fast-paced legal environment, effective time management is essential. Take advantage of the Erie Institute of Law tape library and start earning your CLE credits when the time is convenient for you.

The Erie Institute of Law is now offering our most recent CLE seminars on CD, cassette tape and DVD. All of our seminars are professionally edited and are accompanied by a full set of written course materials.

The Following Programs are Coming Soon

Winning Openings Statements and Closing Arguments
Product Code 2212

2.0 CLE credits: Skills
Presented on September 20, 2013
Available on DVD only (soon to be available “on-demand” on our website)
$110 BAEC Members, $165 Non-Members

This engaging and informative seminar covers the key principles, techniques and strategies for planning and delivering winning opening statements and closing arguments. With the aid of movie clips and actual openings and summations in celebrated cases, the presentation includes the essentials of how to seize the jurors’ attention and hold it with a persuasive courtroom speech. “Winning Openings Statements and Closing Argument” features:

- Master storyteller techniques for opening statement;
- Making your message stick with the jurors and judge;
- Powerful case themes and narratives;
- The ingredients of compelling arguments;
- Specific arguments on matters such as missing evidence, witness credibility; unanswerable questions, damages, and handling case weaknesses;
- Employing effective rhetorical devices;
- Ten persuasion paradigms;
- The devastating rebuttal argument;
- Today’s technology for visual persuasion and argument visuals; and
- Avoiding danger zones in opening statement and summation;

E-Filing in NYS Supreme Court

2.0 CLE credits: 1.0 Law Practice Management, 2.0 Skills
Presented on June 29, 2012
Available on DVD Only
$100 BAEC Members, $155 Non-Members

Reminder

Most of the Erie Institute of Law Continuing Legal Education programs (one hour and half-day) are now available via live streaming web cast! By taking advantage of this service, you will save time, money (gas, parking), and with the upcoming season – the hassle of winter road conditions! Will you be in Florida for the winter? Maybe the sun isn’t out on a particular day, or you’re tired of playing golf? Don’t want to miss an exciting CLE program offered by the Erie Institute of Law? Join via web cast! Kick back, relax and earn CLE credit! Members have taken advantage of this offering from outlying counties, as well as from out of state, Las Vegas in fact! Why not try it yourself?

We use the Fuze meeting program, which will also stream to your tablet or smartphone!

To order, please send check payable to: The Erie Institute of Law • 438 Main Street, Sixth Floor • Buffalo, NY 14202

Be sure to include your name and address for mailing purposes, and $5.00 shipping and handling for each tape purchased. Tapes are mailed via UPS, no P.O. boxes please. To order by phone using your Visa or MasterCard, call the CLE department at 852-8607.

For a complete listing of taped CLE programs, visit our Web site at www.eriebar.org and click on the Continuing Legal Education link or call the CLE department at 852-8607.

NEW CATALOG AVAILABLE NOW!
All meetings held in the Bar Center, 438 Main Street, Sixth Floor, unless otherwise noted. The Adelbert Moot CLE Center is also located at 438 Main Street, Sixth Floor.

JANUARY 2014

WEDNESDAY 1
OFFICE CLOSED

FRIDAY 3
Commercial & Bankruptcy Law Committee
12:15 p.m. – James C. Thuman, Chair
Committee to Assist Lawyers with Depression
12:30 p.m. – Daniel T. Lukasik, Chair
February Bulletin Deadline

MONDAY 6
Professional Ethics Committee
12:15 p.m. – Howard H. Cohen, Chair

TUESDAY 7
Board of Directors
8:00 a.m. – Michael J. Ryan, President

WEDNESDAY 8
Intellectual Property, Computer & Entertainment Law Committee
8:00 a.m. – Towne Restaurant
Charles van Ee, Chair
Health Care Law Committee
12:15 p.m. – William Patrick Kefer, Chair

FRIDAY 10
Committee for the Disabled
12:15 p.m. – Adelbert Moot CLE Center
Lynn M. Kwon-Dzikiy, Chair

Committee to Assist Lawyers with Depression
12:30 p.m. – Daniel T. Lukasik, Chair

TUESDAY 14
Labor Law Committee
12:15 p.m. – Heather A. Giambra, Chair
Real Property Law Committee
12:15 p.m. – Adelbert Moot CLE Center
Keri D. Callochia, Chair
Criminal Law Committee
12:15 p.m. – Old Surrogate Court courtroom, located on the 1st Floor of 92 Franklin Street
John R. Nachereno, Chair

Matrimonial & Family Law Committee
12:15 p.m. – 25 Delaware Ave, 5th Floor
Catherine E. Nagel & Michelle Nowacki, Co-Chairs

WEDNESDAY 15
Erie County Bar Foundation
8:00 a.m. – Gregory L. Brown, President
Appellate Practice Committee
12:15 p.m. – Timothy P. Murphy, Chair
Unlawful Practice of Law Committee
12:15 p.m. – Marc Shinakin, Chair

THURSDAY 16
Committee on Veterans’ & Service Members’ Legal Issues
12:15 p.m. – Joseph D. Morath, Chair
Environmental Law Committee
12:15 p.m. Jeffrey C. Stravino, Chair

FRIDAY 17
Young Lawyers Committee
12:15 p.m. – Elizabeth M. Medgley & Craig R. Buech, Co-Chairs
Committee to Assist Lawyers with Depression
12:30 p.m. – Daniel T. Lukasik, Chair

MONDAY 20
OFFICE CLOSED

TUESDAY 21
Board of Directors
8:00 a.m. – Michael J. Ryan, President
Corporation Law Committee
12:15 p.m. – Offices of Hodgson Russ
Julie M. Davis, Chair
Federal Practice Committee
12:15 p.m. – Timothy J. Grabe, Chair

WEDNESDAY 22
Human Rights Committee
12:15 p.m. – Sophie Feal, Chair
P&P in Family Court Committee
12:15 p.m. – Family Court Building
Tina M. Howlsetter, Chair

THURSDAY 23
Solo and Small Firm Law Committee
12:15 p.m. – Jennifer P. Stergion, Chair

FRIDAY 24
Committee to Assist Lawyers with Depression
12:30 p.m. – Daniel T. Lukasik, Chair

MONDAY 27
Alternative Dispute Resolution Committee
12:15 p.m. – Bridget M. O’Connell, Chair
Banking Law Committee
12:15 p.m. – Harris Beach LLP
Pietra G. Letcher, Chair
Workers’ Compensation Committee
12:15 p.m. – Russell D. Hall, Chair

TUESDAY 28
Elder Law Committee
12:15 p.m. – Jillian E. Brevorka, Chair

FRIDAY 31
Committee to Assist Lawyers with Depression
12:30 p.m. – Daniel T. Lukasik, Chair
March Bulletin Deadline

www.eriebar.org