

SEPTEMBER 2024

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

Michael Balanoff
Gerald P. Berkery
Christine Woodcock Dettor
Daniel Edwin Dyer
Anthony F. Endieveri
Walter E. Farnholt, Jr.
Michael J. Hungerford
Franklin A. Josef
John Mark McCarthy
Hon. Langston C. McKinney
Taylor "Skip" Obold





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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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Hon. James P. Murphy

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& Lawyer Referral Service Manager

John A. Cirando, Esq.

Editor Emeritus

Upcoming Events

- Tuesday, October 8, 2024 Breakfast at the Bar
- Wednesday, October 9, 2024 CLE: Reuniting Families: Navigating I-730s after Asylum Approval
- Thursday, October 10, 2024 Hispanic/Latine Heritage Month Celebration
- Wednesday, October 30, 2024 Hon. Langston C. McKinney Courtroom Dedication
- Thursday, November 14, 2024 Distinguished Lawyer Celebration Honoring Alan R. Rosenthal, Esq.
Welcoming New SUCOL Dean Terence J. Lau
Dineen Hall, Syracuse University College of Law



**The OCBA
hears from people in search of
wills and last testaments
of loved ones
when they discover
the lawyer who penned
those documents
has retired or is deceased.**

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

(315) 471-2667



APPEALS

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

John A.

CIRANDO
Attorney at Law

250 S. Clinton Street
Suite 350
Syracuse, New York 13202



We APPEAL To You

From the President



Dear Members,

Fall is here! Like it or not, when you read this the evenings will be crisp, and the leaves will be changing. It's actually the most beautiful time of year in Central New York! That said, the Summer was very busy around the OCBA offices. Since our last Bar Reporter, we are happy to report that the following events took place:

- We were pleased to swear in new Board members and officers, and you'll see your new Board of Directors list on page 3. I look forward to working with them, and for you, this year.
- We held a very successful reception in cooperation with the Oneida County Bar Association in June at the Oneida County Courthouse, welcoming Chief Judge Rowan D. Wilson and Chief Administrative Judge Joseph Zayas.
- We hosted a Pride Reception/CLE in June on "Becoming A Judge," in cooperation with the Richard C. Failla LGBTQ Commission of the NYS Courts.
- Our sections became very active over the summer, with meetings of the Real Property, Criminal Law, Family and Matrimonial Law sections and the Paralegals Committee.
- The Golf Outing hosted by the Bar Foundation last month raised more than \$4,000 for the Foundation's Lawyers Assistance Program.

Our Annual Celebration for our 2024 Distinguished Lawyer has been set for Thursday, November 14th at Syracuse University College of Law's Dineen Hall. Read about our most-deserving honoree Alan Rosenthal on the next page, and be sure to register early! Also, please consider sponsorship as every dollar helps us to celebrate a most deserving colleague in style. We also encourage you to attend these events. It is an excellent way to get to know and socialize with your colleagues and keep Central New York a great place to practice law.

Remember this is your bar association- OCBA is always looking for new CLE suggestions and articles to include in the Bar Reporter. If you are looking for a CLE to attend, OCBA offers seminars on demand. Please visit onbar.org for our catalogue.

I would be remiss if I did not mention that I owe a big thank you to Marty Lynn, our outgoing President. Marty has been instrumental in bringing the OCBA to the "next level". Thank you, Marty! I look forward to continuing the OCBA mission this coming year and seeing you all at future events.

Very truly yours,

A handwritten signature in black ink that reads "Laura L. Spring". The signature is written in a cursive, flowing style.

Laura L. Spring

Meet Our 2024 Distinguished Lawyer Alan R. Rosenthal, Esq.



Laura Spring, Esq., President of the Onondaga County Bar Association (OCBA) Board of Directors, announced attorney **Alan R. Rosenthal, Esq.** as its 2024 Distinguished Lawyer Honoree. Rosenthal will be honored at the Association's annual Distinguished Lawyer Celebration on Thursday, November 14th at Syracuse University College of Law's Dineen Hall. The event will also welcome new Dean of the College of Law Terence Lau.

OCBA has recognized local attorneys for distinguished service since 1968. Nominees are selected based on career dedication, exceptional skills, unselfish service, and impeccable ethics.

Alan Rosenthal, a criminal defense and civil rights attorney with nearly 50 years of experience, has litigated major felonies and civil rights violations. A 1974 Syracuse University College of Law graduate,

Rosenthal previously served as Director of Justice Strategies at the Center for Community Alternatives and is known as an expert on New York's sentencing laws. He co-authored influential publications on the consequences of criminal convictions and currently offers sentencing consulting services to attorneys across New York. His contributions have earned him numerous accolades, including the NYS Association of Criminal Defense Lawyers' Outstanding Service Award.

His nominators said, "Alan has consistently demonstrated exceptional lawyering skills, devotion to the profession and selflessness, all while having unimpeachable ethics. He has volunteered his time creating practice manuals and writing articles, teaching Continuing Legal Education programs, serving on committees, and participating in associations that promote the legal profession."

Rosenthal is considered the premier expert on New York's complicated sentencing laws. He co-authored the CCA publication, *Sentencing for Dollars: The Financial Consequences of a Criminal Conviction* and *The Use of Criminal History Records in College Admissions Reconsidered*, as well as working papers, *Unlocking the Potential of Reentry and Reintegration*, and *Closing the Doors To Higher Education: Another Collateral Consequence of a Criminal Conviction*.

Rosenthal is currently in private practice offering sentencing consulting services to defense attorneys throughout New York. He is a member of the Board of Directors for the Onondaga County Bar Association Assigned Counsel Program, and has presented to lawyers at programs across the State, and for Public Defenders in Maryland and Florida.

In March 2006 he was honored with the Outstanding Service to the Criminal Bar Award by the New York State Association of Criminal Defense Lawyers and in 2014 he was the recipient of the Wilfred R. O'Connor Award presented by the New York State Defenders Association.

As Patricia Warth, Director of New York State's Office of Indigent Legal Services said, "Alan is a true colleague. He works hard to ensure that lawyers do not feel that they are alone in defending their clients, but are instead supported by a community of zealous defenders. Alan has always played a critical role in building and supporting this community. He is a strong advocate for his clients, and a strong ally for defenders."



November 14 Distinguished Lawyer Celebration Also Welcomes New Syracuse University College of Law Dean Terence J. Lau

Dean Terence J. Lau was appointed the 13th Dean of the Syracuse University College of Law in 2024. He leads the College, which offers one of the nation's first ABA-accredited hybrid online J.D. programs through JDinteractive, and serves as a Professor of Law.



Lau graduated from Syracuse Law in 1998 and began practicing in Detroit, Michigan, in the Office of the General Counsel at Ford Motor Company in the International Trade and Transactions practice group. In 2002, he started his academic career at the School of Business Administration at the University of Dayton in Ohio. He was tenured as a business law Associate Professor in 2006 and then took a year's leave to serve as a Supreme Court Fellow at the Supreme Court of the United States in the Office of the Chief Justice.

He continued to serve in leadership roles at the University of Dayton China Institute in Suzhou, China, and the College of Business at California State University, Chico (CSU Chico), where he helped launch the College's first fully online MBA program. In July 2023, he served as Interim Provost and Vice President of Academic Affairs at CSU Chico before making the move back to Syracuse in 2024.

Lau has taught a variety of undergraduate, MBA, and J.D.-level courses in his career including new venture creation and entrepreneurship. He is the author of *The Legal and Ethical Environment of Business*, now in its Fifth Edition and has been adopted by over 200 universities and colleges. His research focuses on corporate governance, corporate social responsibility, and automotive distribution, and has appeared in *Nevada Law Journal*, *DePaul Law Review*, *American Business Law Journal*, *University of Dayton Law Review*, and *William and Mary Journal of Women & The Law*. He is the former Editor-in-Chief of *The American Business Law Journal*.

Registration for OCBA's November 14th Distinguished Lawyer Celebration will open in early October. For more information, contact OCBA Executive Director Jeff Unaitis at (315) 579-2581, or JUnaitis@onbar.org.



LASMNY IS HIRING! Immediate Openings for Paralegals, Law Graduates, Staff Attorneys and Managing Attorneys!

Employment opportunities are available in all LASMNY office locations: Binghamton, Oneonta, Oswego, Syracuse and/or Utica. *Some positions may require travel to other counties.*

Practice areas include: Eviction Defense, Disability Advocacy (DAP), Homeowners Protection Program (HOPP), Domestic Violence (DV), Agricultural Worker Program, Pro Bono Programs

LASMNY offers a generous benefit package, effective as of date of hire. Interested, qualified applicants should apply by providing a cover letter, resume, writing sample and contact information, including email address, for (3) professional references to: jobs@lasmny.org.

LASMNY open positions & salary ranges are as follows:

- Paralegals: \$42,250 - \$63,378 (DOE)
- Law Graduates: \$68,000
- Staff Attorneys: \$70,000 - \$100,540
- Staff Attorney for Agricultural Worker Program (AWP) \$80,000 - \$110,540
- Managing Attorney – Utica location: \$89,161 - \$110,540
- Managing Attorney – Syracuse location: \$89,161 - \$110,540
- Managing Attorney for Pro Bono Programs - Binghamton location/Hybrid schedule: \$89,161 - \$110,540



All salaries will be carefully reviewed and dependent on experience (DOE).

For a complete list of all of our current job openings and descriptions, please visit:

<https://tinyurl.com/LASMNYCareers>

(or scan the QR code aboveAA).

LASMNY’s Diversity, Equity, and Inclusion Vision Statement

The Legal Aid Society of Mid-New York, Inc. (LASMNY) is committed to diversity, equity, and inclusion. Our differences fuel excellence and we strive to create an environment where every individual is valued and feels empowered to bring their full, authentic self to work. We are building a community rooted in openness and trust where colleagues have the resources to grow, thrive and fully contribute to achieving equal access to justice.

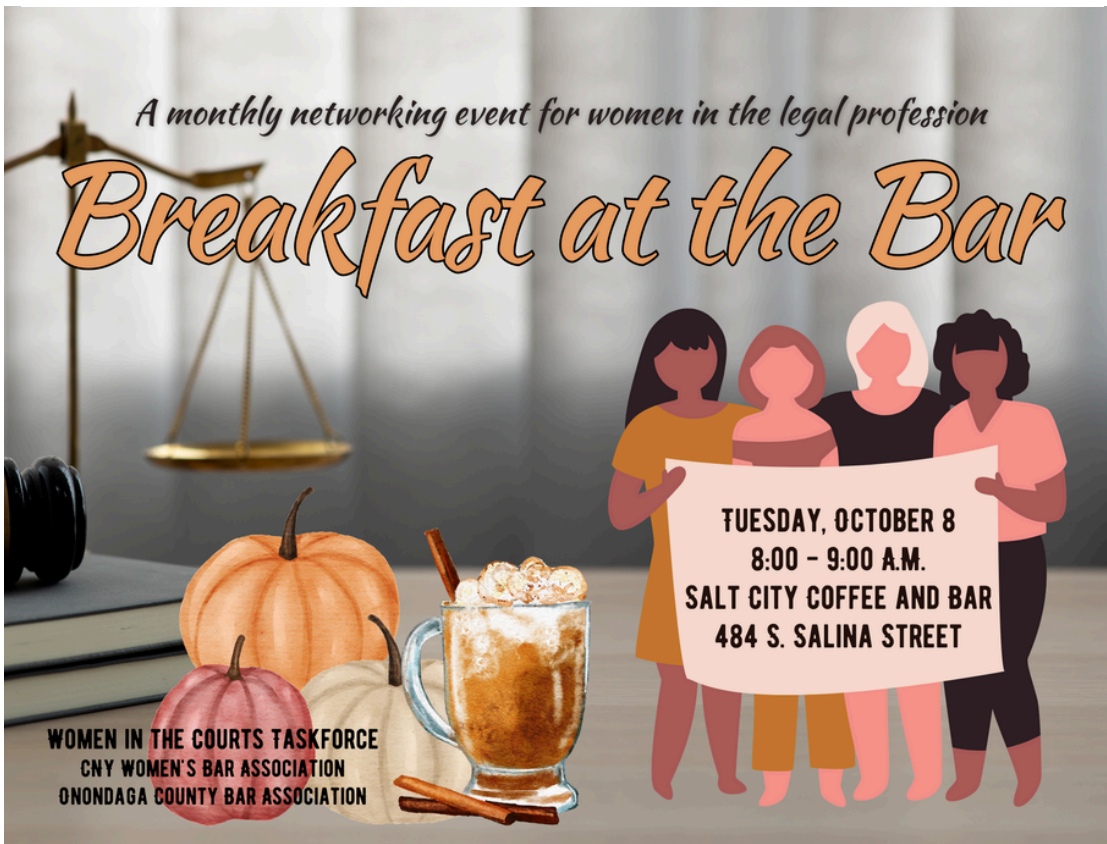


A monthly networking event for women in the legal profession

Breakfast at the Bar



**TUESDAY, OCTOBER 8
8:00 – 9:00 A.M.
SALT CITY COFFEE AND BAR
484 S. SALINA STREET**



**WOMEN IN THE COURTS TASKFORCE
CNY WOMEN’S BAR ASSOCIATION
ONONDAGA COUNTY BAR ASSOCIATION**

THE PRACTICE PAGE

ARE ADD-ON TIMES FOR MAILING PAPERS STILL RELEVANT WITH E-FILING?

Hon. Mark C. Dillon *

Are add-on times for mailing papers still relevant with e-filing? The answer, as we sometimes see elsewhere in the law, is that it depends.

CPLR 2103(b)(2) provides that when the period prescribed by law is measured from the service of a paper and the service is by mail, five days are added to the prescribed period if the mailing is made within New York State. If the mailing is made from outside of the state but within the United States, six days are added.

The concept of adding five extra days to account for mail service is also reflected in CPLR 2214(b). That sets forth the amount of notice that a party must provide to an adversary about a motion prior to its return date. If the motion is personally served upon the adversary, there must be at least eight days to the return date, with answering papers to be served not later than two days before the motion is returnable. This method of notice is not used much by practitioners for two reasons --- the personal service of motion papers is less convenient than using mail or overnight delivery, and the statute makes no provision for a reply in the event the moving party wishes to submit one. CPLR 2214(b) provides a further option where, if motion papers are personally delivered at least 16 days before the return date, the moving party may demand that answering papers be served at least seven days and reply papers at least one day before the return date. This method of serving motions is also not optimal and not frequently used, as it perpetuates the inconvenience of personally serving the motion upon the adversary. Fortunately, CPLR 2214(b) provides a final option where, if the motion papers are served by mail at least 21 days before the return date, demand can be made that opposition papers be served at least seven days, and reply papers at least one day, before the motion is returnable. The math demonstrates that where the mail option is used, five additional days are added in calculating return dates. For cross-motions, CPLR 2215(a) makes provision for additional time where mail service is used for the cross-moving papers.

CPLR 2103, 2214, and 2215 were enacted in their initial forms in 1962, long before any notion that documents would someday be filed electronically. The mechanisms of e-filing are not set forth in the CPLR but instead appear in the Uniform Rules. Where all parties are subject to e-filing, the electronic filing of the papers automatically effects service upon the other parties (Uniform Rule 202.5-b[f][2][ii]; 205.5-bb[a][1]; *Grassetto v Sartore*, 75 Misc.3d 1208[A] *3). The simultaneity of filing and service is assured by the NYSCEF protocol which transmits an electronic notification to all other parties who have appeared in the action that the document has been filed. In these circumstances, mailing becomes a thing of the past, and the corresponding provisions of the CPLR which add five days to defined deadlines become irrelevant.

There are two categories of civil litigations exempted from mandatory e-filing. One involves pro se parties, who are not required to consent to electronic procedures but who may do so at their option, and the second involves attorneys who can certify that they are not technologically capable of complying with the e-filing procedures (Uniform Rule 202.5-bb[e][1] and [2]). The latter should be rare given that even technologically-challenged attorneys will typically have associates, paralegals, secretaries, or others who can assist with the e-filing protocols. There are also certain categories of actions where consent of the parties is required for e-filing, such as matrimonials, election law proceedings, Article 78s, mental hygiene proceedings, and certain residential foreclosure and consumer credit actions (Uniform Rule 202.5-bb[a][2][i-vi]). Where actions are outside of NYSCEF, traditional mailing is used instead, and the statutes which add five days to prescribed deadlines, to account for mailings, remain applicable.

Continued on the next page.

If parties consent to and use the e-filing system for filing and serving papers, but a party thereafter duplicatively mails a hard copy of a document to adversary counsel, the First Department has held that five days are not added from the mailing for the response time (*Woodward v Millbrook Ventures, LLC*, 148 AD3d 658 [2017]). The court reasoned that by participating in the e-filing system, parties are bound to the rules, procedures, and deadlines of NYSCEF, which control. There is a seemingly-contrary ruling on this issue from the Supreme Court, Westchester County in *Global Custom Integrations, Inc. v JDP Wholesale Enterprises, Inc.*, 40 Misc.3d 909 (Sup. Ct. 2023) (Giacomo, J.). There, the court noted that Uniform Rule 202.5-b(f)(2)(ii) expressly authorized parties under consensual e-filing to utilize other methods for the of service of documents as permitted by the CPLR, and that when a party duplicatively uses the mail method of CPLR 2103, five additional days are added to the response time (*Id.*, at 911). Notably, this issue might go away as the more recent mandatory e-filing procedures of Uniform Rule 202.5-bb, which replaced the earlier consensual e-filing rules of Uniform Rule 202.5-b, do not allow for the general optional use of CPLR service methods in addition to the electronic method. Going forward, if an action is in the mandatory NYSCEF system, counsel has no basis for using the mail duplicatively, and the addition of five days for mailing should become irrelevant.

There is an important word of caution for older e-filed cases: While filing and service are simultaneously accomplished by e-filing under Uniform Rule 202.5-b(f)(2)(ii) (consensual) and 202.5-bb(c)(1) (mandatory), that rule is subject to exemptions under the consensual e-filing rules of Uniform Rule 202.5-b(h)(2), to the extent still applicable. Exempted is the notice of the entry of orders and judgments. The e-filing and e-service of an order or judgment does not, under the consensual e-filing procedures, simultaneously serve notice that those documents have been entered. A separate transmittal of the notice of entry must be made to trigger whatever response time is required for a further motion or an appeal as measured from the entry (*JBBNY, LLC v Dedvukaj*, 171 AD3d 898, 901). Uniform Rule 202.5-b(h)(2) confers upon the party giving notice of entry the option of doing so by either e-filing the separate notice, or by using mail. If the mail method is used, proof of serving the document with notice of entry must then be e-filed (Uniform Rule 202.5-b[h][2]).



Mark C. Dillon is a Justice of the Appellate Division, 2nd Dep't., is an Adjunct Professor of New York Practice at Fordham Law School, and is a contributing author of CPLR Practice Commentaries in McKinney's.

By mailing the notice of entry, five days are added to any prescribed deadlines for pursuing remedies measured from the entered order or judgment (*Matter of Estate of Lowry*, 225 AD3d 964 [2024]). However, under the more-recent mandatory e-filing rules of Uniform Rule 202.5-bb, the exemption provisions for notices of entry were not carried forward from the earlier consensual version, and those exemptions should no longer apply to actions filed under mandatory e-filing.

Sometimes the devil is in the details. Be careful with the particulars of the rules governing e-filing.

NEWSMAKERS & INFLUENCERS

Lippes Mathias LLP Combines with Syracuse-Based Health Care Firm CCBLaw, Expands Lippes' National Footprint

Lippes Mathias has combined with CCBLaw, a Syracuse-based law firm with a respected national reputation for providing innovative legal services to clients in the areas of health care, business, labor and employment and real estate. Twelve attorneys, as well as eight staff members, joined Lippes Mathias as part of the move.

With this combination, Lippes Mathias now has 197 total attorneys with 158 staff and 15 offices across the country.



“When we execute our growth vision, we continue to emphasize the right cultural synergies, and the match with CCBLaw is no exception,” Kevin J. Cross, Lippes Mathias’ managing partner and chairman, said. “The new Lippes attorneys bring exceptional experience and capabilities that pair perfectly with our health care team—creating one of the largest health care practices outside of New York City. I’m proud to note that this expansion also marks a significant milestone in Lippes Mathias’ growth story as our national footprint of 15 locations now reaches every major New York market.”

CCBLaw, one of only two Central New York law firms ranked Metro Tier I in health care law by Best Law Firms, provides legal and consulting services to health care clients, including group medical practices, private practice physicians, dentists, and allied health professionals, hospitals, ACOs, physician organizations, independent practice associations, ambulatory surgery centers, and other facilities throughout the United States.

“This is the right move at the right time, compounding value and opportunity for both groups,” Michael J. Compagni, former CCBLaw managing member and new Syracuse office leader, said. “Our entire team is excited to join Lippes Mathias—well-known and regarded for its people-first approach to the business of law. Lippes’ emphasis on culture creates an environment where attorneys and staff thrive. We’re thrilled to be a part of a growing firm that is doing it differently.”

Marc S. Beckman, a founding member of CCBLaw, will co-lead Lippes Mathias’ health care practice team alongside Brigid M. Maloney, partner, Lippes Mathias.

“Since we have been representing so many practices with respect to private equity-backed transactions in the health care field, we wanted to align ourselves with a firm such as Lippes that will benefit our clients by allowing us to bring greater breadth and depth to our team,” Beckman said. “Our footprint has always been larger than Central New York, and together with the diverse practice areas, resources, infrastructure, and geographical footprint of Lippes, this mutually beneficial integration allows us to provide a broader scope of legal services to our clients long into the future.”

About Lippes Mathias LLP

Lippes Mathias is a full-service law firm with nearly 200 attorneys serving clients regionally, nationally, and internationally. With offices in Buffalo, Clarence, Albany, Long Island, New York, Rochester, Saratoga Springs and Syracuse, N.Y.; Greater Toronto Area; Chicago, Ill.; Jacksonville, Fla.; Cleveland, Ohio; San Antonio, Texas; Oklahoma City, Okla. and Washington, D.C., the firm represents publicly and privately-owned companies, private equity and venture capital firms, real estate developers, financial institutions, municipalities, governmental entities, and individuals.

NEWSMAKERS & INFLUENCERS

Harris Beach Partner Brian Roy Named to CNY 40 Under 40

The Central New York Business Journal has selected Harris Beach partner Brian Roy of the firm's Financial Restructuring, Bankruptcy and Creditors' Rights Practice Group and Financial Institutions and Capital Markets Industry Team as one of this year's 40 under Forty honorees, an annual recognition program for individuals who excel in the workplace and the community.

Roy is recognized not only for his work as an attorney, but also for his service to the community which includes, but is not limited to, being a member of the Board of Directors for the American Red Cross Eastern New York Region, Central and Northern New York Chapter, where he serves on the board's Philanthropy Committee, volunteering his time to the "Talk to a Lawyer Program" at Westcott Community Center and volunteering to assist mock trial teams at the high school and law school levels.

Roy and the other 40 under Forty recipients will be honored at an awards celebration at the Oncenter on Nov. 14.



Roy

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK SELECTS NEW MAGISTRATE JUDGE

The United States District Court for the Western District of New York has selected Colleen D. Holland as a new Magistrate Judge. Ms. Holland currently serves as Special Counsel to Chief Judge Elizabeth A. Wolford. She fills the Magistrate Judge vacancy created by the retirement of Magistrate Judge Marian W. Payson, effective January 4, 2025. Ms. Holland will be sworn in and hold court at the Kenneth B. Keating United States Courthouse in Rochester.

Ms. Holland is a 2006 graduate of the University of Rochester, where she received a B.S. in neuroscience and a B.A. in German with highest distinction. She went on to Cornell Law School, graduating summa cum laude in 2010. Ms. Holland previously worked in private practice in the Rochester area and has served the Court since 2017. Ms. Holland is a member of the Monroe County Bar Association and the Greater Rochester Association for Women Attorneys. She and her husband, Matthew, are the parents of two daughters.



Holland

The Court is confident that Ms. Holland will serve the people of the New York Western District with distinction and integrity and looks forward to welcoming her in her new role.

NEWSMAKERS & INFLUENCERS

Barclay Damon Adds Power & Energy Construction Practice With Recent Washington DC Combination

Barclay Damon has added a new practice area, Power & Energy Construction, following the combination announced earlier this year with Washington DC-based Shapiro, Lifschitz & Schram (SLS). The addition of 10 lawyers, three paralegals, and four administrative staff of SLS includes five lawyers dedicated exclusively to commercial and construction litigation and transactions with a deep industry focus in power and energy construction disputes, EPC contracts, and complex projects.

As noted by co-chair of the new practice area, Judah Lifschitz, "Our team is seasoned, with multidisciplinary construction industry professionals serving public utilities, owners of power and energy plants and related facilities, developers, private equity firms and EPC contractors, and more on matters throughout the United States." Having won one of the largest liquidated damages awards in the history of the construction industry, Lifschitz leads a veteran team with extensive experience in construction-related matters, including power and energy construction matters. Partner Laura Fraher will serve as co-chair of the new practice, bringing with her over 14 years of close collaboration with Lifschitz.

The timing could not be better, noted Rick Capozza, the principal architect of building out the firm's Energy Practice Area over the past 25 years. It has become Barclay Damon's leading industry and strategic focus and boasts one of the largest client segments of the firm. "The initial response from our energy clients has been overwhelmingly positive since the news got out that Judd and the SLS team were joining the firm," said Capozza. He added, "Given the speed of play in the development of new power generation projects, particularly utility-scale renewable projects, we anticipate an exponential need in the areas of EPC contracting and construction disputes."



Capozza



Fraher



Lifschitz

NOTE: The Bar Reporter will recognize those attorneys making the Best Lawyers and Super Lawyers honors in next month's edition.

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 Established?

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

Your
Last Resort



The New York State Bar Association
Lawyer Assistance Program

(518) 487-5688

The New York State Bar Association
Lawyer Assistance Program Hotline (24/7)

(877) 772-8835

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.

Onondaga County Bar Foundation • 431 E. Fayette St., #300 • Syracuse, NY 13202

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.



Hispanic / Latine Heritage Month Celebration

Join us for a panel discussion honoring
members of the Judiciary:

**Hon. Michael Lopez, Hon. Maria Cubillos Reed and
Hon. Ramon Rivera**

Moderated by **Gabriela Girona Wolfe, Esq.**

Stay for a Reception following the panel.



Presented by ARRIBA,

A Committee of the Puerto Rican Bar Association



Thursday, October 10, 2024 | 4-6:30 pm
CNY Philanthropy Center, 431 E. Fayette St.
Syracuse, NY 13202

Presented with support from

Onondaga County Bar Association

William Herbert Johnson Bar Association

Central New York Women's Bar Association

5th Judicial District Access to Justice Committee



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**SCHOENECK
& KING ATTORNEYS**

LAW OFFICES OF

Jose Perez





HONORABLE
LANGSTON C. MCKINNEY
COURTROOM DEDICATION
& RECEPTION

SAVE *the* DATE

WEDNESDAY, OCTOBER 30, 2024 AT 4:30
IN THE AFTERNOON

RSVP to Jeff Unaitis
junaitis@onbar.org



mcv_{law}

**IS ACCEPTING
REFERRALS!**

***Do you have injured or
disabled clients in need of
Workers' Compensation or
Social Security Disability services?***

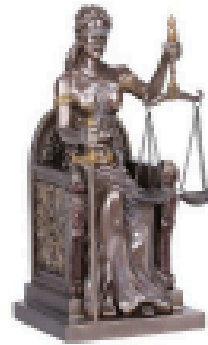
***Entrust them to quality.
Entrust them to experience.
Entrust them to MCV Law.***

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2024 Red Mass



The Cathedral doors open wide to welcome you. For nearly 800 years, the tradition of the Red Mass has invoked God's blessings and wisdom to guide the life and work of the legal profession in the coming year. The tradition continues.

Long associated with the Feast of St. Michael the Archangel, the Red Mass invokes the Holy Spirit's guidance.

Join us in celebrating the tradition of the Red Mass on Monday, September 30, 2024 at noon in the Cathedral of the Immaculate Conception.

The Annual Red Mass
Monday, September 30th at 12:00 Noon
Cathedral of the Immaculate Conception
259 East Onondaga Street
Syracuse, New York 13202

Bishop Douglas J. Lucia, D.D., J.C.L.
Bishop of Syracuse
Celebrant and Homilist

*The Red Mass can be viewed either live and/or after the mass is concluded on the Syracuse Diocese UTube Channel using the following link:
<https://www.youtube.com/channel/UC2ixgH9ORzrAwPDQ36InGFg>