

NEW YORK STATE BAR ASSOCIATION



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Young Lawyers Section Trial Academy

Cornell Law School
Myron Taylor Hall- Moot Courtroom 3rd Fl
Ithaca, New York

April 4 - April 8, 2018

Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in PRACTICAL SKILLS in New York State only. This program is transitional and therefore suitable for newly-admitted attorneys.

www.nysba.org/yltrialacademy

Special Thank You to the Texas Young Lawyers Association for their assistance.



IMPORTANT INFORMATION

The New York State Bar Association Trial Academy is a five-day trial techniques program that will teach, advance and improve the courtroom skills of young and new lawyers with an emphasis on direct participation.

HOW IT WORKS

The program will take place at Cornell Law School. The materials for the program will include both a criminal and civil fact pattern which will be provided to attendees before the program's start date. Each morning of the Trial Academy will feature a lecture on the following aspects of the trial process: Jury Selection, Opening Statements, Evidence, Foundations and Objections, Direct Examinations, Cross-Examinations, Trial Motions and Motions in Limine, and Closing Arguments. Each afternoon the lecture group will separate into small break-out groups. Prior to the start of the program each attendee will receive materials that will include which "problem" or "witness" they are to prepare for each day's break-out group. You will work with this group and your Team Leader throughout the entire Trial Academy. The break-out groups will allow you and your peers to put the theory of the lecture into practice with the feedback of your Team Leader and the rotating critique faculty. Your presentations will be recorded to allow for personal playback and review.

REGISTRATION AND FEES

NYSBA Young Lawyer Section Members: \$850.00

NYSBA Members: \$900.00

Non-NYSBA Members: \$1,000.00

The Trial Academy is limited to 60 participants. Registrations paid in full, dependent on space available, will be accepted until March 16, 2018.

The registration fee includes all materials and a memory card, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

DRESS CODE

Professional business attire is required for the program.

CLE CREDIT INFORMATION

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This program is accredited for MCLE credit in New York State only. Attorneys seeking credit in other jurisdictions may contact the governing body for CLE in their respective locations for credit application details.

Discounts and Scholarships: Attorneys may receive financial assistance to attend this program. Under New York State Bar Association policy, attorneys who require financial assistance may apply in writing, no later than 10 working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive a discount or scholarship, depending on the circumstances. For more details, please contact: Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207 or ajasiewicz@nysba.org. Sponsoring sections of NYSBA will also be offering some scholarships to the Trial Academy.

Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Amy Jasiewicz at ajasiewicz@nysba.org.



2018 SCHEDULE OF EVENTS

Wednesday, April 4

- 7:30 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Registration and Continental Breakfast - Sponsored by a NYSBA Section
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** - Moot Courtroom
Young Lawyers Section Chair John P. Christopher, Esq.
Trial Academy Program Co-Chairs Erin K. Flynn, Esq. and Terrance Tarver, Esq.
Criminal Justice Section Chair Tucker C. Stanclift, Esq.
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** - Moot Courtroom
- Speakers:* **Elizabeth M. Hecht, Esq. (Civil)**, White Plains
TBD (Criminal)
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12:00 p.m. **LECTURE: OPENING STATEMENTS** - Moot Courtroom
- Speakers:* **Peter J. Moschetti, Jr., Esq. (Civil)**, Anderson, Moschetti, Taffany, Albany
Richard D. Collins, Esq. (Criminal), Collins Gann McCloskey & Barry PLLC, Mineola
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Jury Selection and Faculty Critique**
- 5:15 p.m. – 6:45 p.m. **WELCOME COCKTAIL RECEPTION (ALL WELCOME TO ATTEND)** - Taylor Room, Statler Hotel
RECEPTION SPONSORED BY ARAG
- 6:30 pm – 8:00 p.m. Criminal Justice Section Executive Committee Meeting – Yale/Princeton Room, Statler Hotel

Thursday, April 5

- 8:00 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Registration and Continental Breakfast - Sponsored by a NYSBA Section
Faculty Demonstration of Opening Statements
- 8:30 a.m. – 10:10 a.m. **LECTURE: TRIAL ETHICS** - Moot Court Room
- Moderator:* **Kaylin L. Whittingham, Esq.**, Whittingham Law, NYC
- Speakers:* **Hon. Deborah H. Karalunas (Civil)**, Supreme Court Justice, Onondaga Commercial Division
Hon. Kimberly O'Connor (Civil), Supreme Court Justice, Albany County Supreme Court
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: DIRECT EXAMINATIONS** - Moot Courtroom
- Speakers:* **Jonathan D. Lupkin, Esq. (Civil)**, Lupkin PLLC, NYC
Carrie H. Cohen, Esq. (Criminal) Morrison & Foerster LLP, NYC
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Opening Statements and Faculty Critique**
- 5:15 p.m. – 7:15 p.m. **Young Lawyers Section Executive Committee Meeting** - Pennsylvania Room, Statler Hotel

2018 SCHEDULE OF EVENTS

Friday, April 6

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**
Faculty Demonstration of Direct Examination – Moot Courtroom
Remarks by NYSBA President Sharon Stern Gerstman, Esq.
- 8:30 a.m. – 10:10 a.m. **LECTURE: [CROSS-EXAMINATIONS PART 1](#)** - Moot Courtroom
- Speakers:** **Hon. Erin P. Gall (Civil)**, Supreme Court Justice, Oneida County Supreme Court
Sherry Levin Wallach, Esq. (Criminal), Bashian & Farber, LLP, White Plains
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: [CROSS-EXAMINATION PART 2](#)** - Moot Courtroom
- Speakers:** **Timothy J. Fennell, Esq. (Civil)** Amdursky, Pelky, Fennell and Wallen, PC, Oswego
Peter Gerstenzang, Esq. (Criminal) Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Direct Examinations and Faculty Critique**

Saturday, April 7

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**
Faculty Demonstration of Cross Examination – Moot Courtroom
Presented by: *Eric H. Sills, Esq., Gerstenzang, Sills, Davis Cohn & Gerstenzang, Albany*
- 8:30 a.m. – 9:20 a.m. **LECTURE: [EVIDENCE, FOUNDATIONS & OBJECTIONS](#)** - Moot Courtroom
- Speakers:** **Laurie Giordano-Vahey, Esq. (Civil)** Leclair Korona Giordano Cole LLP, Rochester
Nicholas J. DeMartino, Esq. (Criminal) Green & Brenneck, Syracuse
- 9:20 a.m. – 10:10 a.m. **LECTURE: [TRIAL MOTIONS & MOTIONS IN LIMINE](#)** - Moot Courtroom
- Speakers:** **Michael P. O'Brien, Esq. (Civil)** O'Brien Law Firm PLLC, NYC
Hon. Guy H. Mitchell (Crim), Justice of the Supreme Court Criminal Term, NYC
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 **LECTURE: [CLOSING ARGUMENTS](#)**
Prof. Michael L. Fox, (Civil) Assistant Professor, Mount Saint Mary College, Newburgh
Peter Gerstenzang, Esq. (Criminal) Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Cross-Examinations and Faculty Critique**
- 5:00 p.m. – 6:30 p.m. **CLOSING COCKTAIL RECEPTION (All Welcome to Attend), Myron Taylor Hall, Student Lounge**
Recognition of Megan O'Toole for Contributions to the Trial Academy

Sunday, April 8

- 8:00 a.m. **Registration and Continental Breakfast – Luncheon Room**
Faculty Demonstration of Closing Arguments – Classroom 184 Team B Room
- 8:15 a.m. – 12:00 p.m. **BREAKOUT GROUPS - Individual Presentations on Closing Arguments and Faculty Critique**
- 12:00 p.m. **Boxed lunches to go (in the luncheon room) - Sponsored by the Young Lawyers Section**

2018 FACULTY

TEAM LEADERS

Anthony Colleluori
Raiser & Kenniff, Mineola

Ernesto Marrero, Jr.
CityMD, NYC

Prof. Michael L. Fox
Assistant Professor
Mount Saint Mary College, Newburgh

Thomas J. O'Hern
Office of Thomas J. O'Hern, Esq., Albany

Sherry Levin Wallach
NYSBA Secretary
Bashian & Farber, LLP, White Plains

LECTURE SPEAKERS

Carrie H. Cohen
Morrison Foerster, NYC
Former Assistant U.S. Attorney, SDNY

Richard D. Collins
Collins Gann McCloskey & Barry PLLC
Mineola

Nicholas J. DeMartino
Green & Brenneck, Syracuse

Timothy J. Fennell
Amdursky, Pelky, Fennell and Wallen, PC
Oswego

Prof. Michael L. Fox, *Assistant Professor*
Mount Saint Mary College, Newburgh

Hon. Erin P. Gall
Oneida County Supreme Court Justice

Peter Gerstenzang
Gerstenzang, Sills, Davis, Cohn & Gerstenzang
Albany

Laurie Giordano-Vahey
Leclair Korona Giordano Cole, LLP, Rochester

Elizabeth M. Hecht
Elizabeth M. Hecht, Esq., White Plains

Hon. Deborah H. Karalunas
Onondaga County Supreme Court Justice

Jonathan D. Lupkin
Lupkin PLLC, NYC

Hon. Guy H. Mitchell
New York County Supreme Court Justice,
Criminal Term, NYC

Peter Moschetti
Anderson, Moschetti & Taffany, PLLC, Albany

Michael P. O'Brien
O'Brien Law Firm, PLLC, NYC

Hon. Kimberly O'Connor
Acting Supreme Court Justice, Albany County

Sherry Levin Wallach
NYSBA Secretary
Bashian & Farber, LLP, White Plains

Kaylin L. Whittingham
Whittingham Law, NYC

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Law Office of Kevin Kelly, Ithaca

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The Ahearne Law Firm, PLLC

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Nicholas J. DeMartino, *Green & Brenneck*

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Ryan T. Donovan
Harris Conway & Donovan PLLC

Vincent E. Doyle III, *Connors, LLP*

Timothy J. Fennell
Amdursky, Pelky, Fennell and Wallen, PC

Erin K. Flynn
McCabe, Weisberg & Conway, LLC

Eric M. Galarneau
Albany County District Attorney's Office

Hon. Erin P. Gall
Oneida County Supreme Court

Marc Gann
Collins Gann McCloskey & Barry PLLC

Karen Gerstenzang
Gerstenzang, Sills, Davis, Cohn & Gerstenzang

Peter Gerstenzang
Gerstenzang, Sills, Davis, Cohn & Gerstenzang

Laurie Giordano-Vahey
Leclair Korona Giordano Cole, LLP

Sarah E. Gold, *Gold Law Firm*

David Haggard

Hon. John S. Hall, Jr.
Warren County Surrogate's Court

Elizabeth M. Hecht
Elizabeth M. Hecht, Esq., White Plains

Patrick Hennessey
Patrick Hennessey Law Firm

Hon. Debra A. James
New York State Supreme Court

Hon. Deborah H. Karalunas
Onondaga County Supreme Court

Matthew J. Kelly
Roemer Wallens Gold & Mineaux LLP

Sean P. Kelly
Law Office of Michael T. Kelly

Donald T. Kinsella
Law Offices of Donald T. Kinsella

Jonathan D. Lupkin
Lupkin PLLC

Peter Moschetti
Anderson, Moschetti & Taffany, PLLC

Shadi Masri
Albany County District Attorney's Office

Benjamin M. Mastaitis
Albany County District Attorney's Office

Hon. Robert A. McDonald
New York State Supreme Court

Mark Moretti, *Phillips Lytle LLP*

Hon. Phaedra Perry
New York City Civil Court – New York County

Gene V. Primomo
Office of the Federal Public Defender

Katelyn Primomo-Millwood
The Legal Project

Hon. Guy H. Mitchell
New York County Supreme Court, Criminal Term

Mark J. Moretti, *Phillips Lytle LLP*

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Schenectady County District Attorney's Office

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Albany County Supreme Court

Danielle Neroni Reilly
Law Offices of Danielle Neroni

Violet Samuels
Samuels & Associates, PC

Jessica Segal
Stenger, Roberts, Davis & Diamond, LLP

Steven Sharp
Albany County District Attorney's Office

Eric H. Sills
Gerstenzang, Sills, Davis, Cohn & Gerstenzang

Tucker C. Stanclift, *Stanclift Law PLLC*

Terrence L. Tarver, *Tarver Law Firm, PC*

Hon. Patricia A. Williams
Bronx County Supreme Court

TRAVEL INFORMATION

Cornell Law School is located in central New York on the Ithaca campus of Cornell University. The campus can be reached by car, air, or train.

By Car

From Points North (Including Syracuse and Watertown) – Syracuse, NY is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

From Points East (Including Albany and Boston) – Albany, NY is approximately 160 miles east of Cornell University with an *estimated driving time of 2 hours and 30 minutes*.

From Points South (Including New York City) – New York City is approximately 220 miles southeast of Cornell University with an *estimated driving time of 5 hours*.

From Points West (Including Buffalo and Rochester) – Buffalo, NY is approximately 150 miles west of Cornell University with an *estimated driving time of 3 hours*.

By Air

The Ithaca Tompkins Regional Airport is located on Brown Road in Ithaca, NY, a 10-minute drive from the Cornell University campus. The area is serviced by US Airways and Northwest Airlines.

Syracuse Hancock International Airport in Syracuse, NY, is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

Greater Rochester International Airport in Rochester, NY, is approximately 100 miles northwest of Cornell University with an *estimated driving time of 2 hours*.

Greater Binghamton Airport in Binghamton, NY, is approximately 40 miles south of Cornell University with an *estimated driving time of 1 hour and 15 minutes*.

Elmira-Corning Regional Airport in Horseheads, NY, is approximately 37 miles south of Cornell University with an *estimated driving time of 1 hour*.

By Train

Syracuse Amtrak Station in Syracuse, NY is located approximately 80 minutes from Ithaca. Syracuse is connected to the Empire (N.Y.C.-Niagara Falls), Lake Shore Limited (Chicago- Boston), and Maple Leaf (N.Y.C.-Toronto) routes.

Parking Information

On-campus parking except in metered areas, is by permit only. A limited amount of non-permit parking is available after 5 p.m., including the Hoy Road parking garage and the north campus A lot. Short-term parking permits are available for \$10 per day from any information and parking booth, *Monday–Friday, 7:30 a.m.–5:00 p.m.*

Hotel Information

Hotel accommodations are **not** included in the registration fee. A limited number of rooms may be available at the Statler Hotel on the Cornell University campus. To make a hotel reservation at the Statler, call the Statler Hotel Reservations Department at **1-800-541-2501** and indicate you are with the **New York State Bar Association** group.

For alternate hotel accommodations please visit www.campustravel.com/university/cornell for local recommendations.



MEETING REGISTRATION FORM

Name _____

Firm _____

Address _____

City/State/Zip _____

E-mail Address _____

Phone (_____) _____ Fax (_____) _____

FEES

NYSBA Young Lawyer Section Member:	\$850.00
NYSBA Member:	\$900.00
Non-NYSBA Member:	\$1,000.00

The registration fee includes all materials including books, writing journals and memory cards, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

PAYMENT INFORMATION

Check or money order enclosed in the amount of \$ _____
(Make checks payable to New York State Bar Association)

Charge \$ _____ to American Express Discover

MasterCard Visa Expiration _____

Card Number _____

Authorized Signature _____

CLE Credit Information

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TRIAL ACADEMY

*Presented by the
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April 4 - April 8, 2018

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DIETARY NEEDS _____

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Cancellation Notice:

Notice of cancellation must be received by **March 16, 2018** in order to obtain a refund for full registration fees.

Email or mail this form with registration fee(s) to:

Amy Jasiewicz
New York State Bar Association
One Elk Street
Albany, New York 12207
Phone: 518.487.5682
ajasiewicz@nysba.org



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***Special Thanks to Cornell Law School for
Hosting the 9th Annual Trial Academy***



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SECTION SERVICES DEPARTMENT
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