

NEW YORK STATE BAR ASSOCIATION



SECTION CHAIR

Lisa R. Schoenfeld, Esq.

Schlissel Ostrow Karabatos PLLC
Garden City

PROGRAM CO-CHAIRS

Michael L. Fox, Esq.

Jacobowitz & Gubits, LLP
Walden

Sarah E. Gold, Esq.

Gold Law Firm
Albany

NYSBA

Young Lawyers Section Trial Academy

Cornell Law School
Ithaca, New York
March 29 - April 2, 2014

*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 Members: \$875.00

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 24, 2014.

The registration fee includes all materials including books and flashdrive, 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

The New York State Bar Association's Meetings Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. **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.** This program is transitional and therefore suitable for newly-admitted attorneys.

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: Adriana Favreau, New York State Bar Association, One Elk Street, Albany, New York 12207 or afavreau@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 Adriana Favreau at 518-487-5630.



The Statler Hotel on the Cornell University campus

SCHEDULE OF EVENTS

Saturday, March 29

- 7:30 a.m. **Registration and Continental Breakfast - Sponsored by Criminal Justice Section**
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** - Moot Court Room
Review of Materials and Case Outline
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** - Moot Court Room
- Speakers:** **Elizabeth Hecht (Civil Perspective)**
Mead, Hecht, Conklin & Gallagher, LLP, White Plains
- Hon. Marc Seedorf (Criminal Perspective)**
Lewisboro Town Judge, Westchester County, Seedorf & Scheld, Bronx
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12:00 p.m. **LECTURE: OPENING STATEMENTS** - Moot Court Room
- Speakers:** **T. Andrew Brown, Esq. (Civil Perspective)**
Brown & Hutchinson, Rochester
- Richard D. Collins, Esq. (Criminal Perspective)**
Collins, McDonald & Gann, P.C., Mineola
- 12:00 p.m. – 1:00 p.m. **Trial Lawyers Section Luncheon - One World Room**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Jury Selection and Faculty Critique**
- 5:30 p.m. – 7:00 p.m. **Welcome Cocktail Reception** - Statler Hotel

Sunday, March 30

- 8:00 a.m. **Registration and Continental Breakfast - Sponsored by Corporate Counsel Section**
- 8:30 a.m. – 10:10 a.m. **LECTURE: EVIDENCE, FOUNDATIONS AND OBJECTIONS** - Moot Court Room
- Speakers:** **Speaker to be announced (Civil Perspective)**
- Nicholas J. DeMartino, Esq. (Criminal Perspective)**
NYS Attorney General's Office, Syracuse
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: DIRECT EXAMINATIONS** - Moot Court Room
- Speakers:** **Jonathan D. Lupkin, Esq. (Civil Perspective)**
Rakower Lupkin PLLC, New York City
- Guy H. Mitchell, Esq. (Criminal Perspective)**
NYS Office of the Attorney General, New York City
- 12:00 p.m. – 1:00 p.m. **Business Law Section Luncheon - WSH, Memorial Room**
- 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** - Statler Hotel
All attendees welcome

SCHEDULE OF EVENTS

Monday, March 31

- 8:00 a.m. **Registration and Continental Breakfast**
- 8:30 a.m. – 11:00 a.m. **LECTURE: CROSS-EXAMINATIONS** - Moot Court Room
- Speakers:**
- Vincent E. Doyle III, Esq. (Criminal Perspective)**
Past President, New York State Bar Association
Connors & Vilardo, LLP, Buffalo
- Sherry Levin Wallach, Esq. (Criminal Perspective)**
Wallach & Rendo LLP, Mount Kisco
- Peter Gerstenzang, Esq. (Criminal Perspective)**
Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang, Albany
- Timothy J. Fennell, Esq. (Civil Perspective)**
Amdursky, Pelky, Fennell and Wallen, PC, Oswego
- 11:00 a.m. – 11:10 a.m. **Break**
- 11:10 a.m. – 12:00 p.m. **LECTURE: TRIAL MOTIONS AND MOTIONS IN LIMINE** - Moot Court Room
- Speaker:**
- Michael P. O'Brien, Esq. (Civil Perspective)**
O'Brien & Jacobs, PLLC, New York City
- Xavier R. Donaldson, Esq. (Criminal Perspective)**
Donaldson & Chilliast LLP, New York City
- 12:00 p.m. – 1:00 p.m. **Torts, Insurance & Compensation Law Section Luncheon - One World Room**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Direct Examinations and Faculty Critique**

Tuesday, April 1

- 8:00 a.m. **Registration and Continental Breakfast**
- 8:30 a.m. – 10:10 a.m. **LECTURE: CLOSING ARGUMENTS** - Moot Court Room
- Speakers:**
- Hon. Mark D. Fox (Civil Perspective)**
Retired U.S. Magistrate Judge, Huguenot
- Peter Gerstenzang, Esq. (Criminal Perspective)**
Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang, Albany
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **HANDLING THE EXTREME STRESS OF TRIAL AND ITS ETHICAL REPERCUSSIONS** - Moot Court Room
- Moderator:**
- Hon. Erin P. Gall**
Supreme Court Justice, Oneida County Courthouse, Utica
- Panelists:**
- Hon. Jenny Rivera**
New York State Court of Appeals, Albany
- Hon. George J. Silver**
New York State Supreme Court New York County, New York City
- 12:00 p.m. – 1:00 p.m. **Family Law Section Luncheon - One World Room**
- 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**

Wednesday, April 2

- 8:00 a.m. **Registration and Continental Breakfast**
- 8:15 a.m. – 12:00 p.m. **BREAKOUT GROUPS - Individual Presentations on Closing Arguments and Faculty Critique**
- 12:00 p.m. **Young Lawyers Section Boxed lunches to go**

FACULTY

The distinguished faculty for this program includes leaders from the New York State Bar Association and New York State.

TEAM LEADERS

Anthony Colleluori
Law Office of Anthony J. Colleluori

Xavier R. Donaldson
Donaldson & Chilliest LLS

Thomas J. O'Hern
Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang

Manuel A. Romero
Manuel A. Romero, P.C.

Sherry Levin Wallach
Wallach & Rendo LLP

LECTURE SPEAKERS

T. Andrew Brown
Brown & Hutchinson

Richard D. Collins
Collins, McDonald & Gann, P.C.

Nicholas J. DeMartino
Attorney General's Office

Xavier R. Donaldson
Donaldson & Chilliest LLS

Vincent E. Doyle III
*Past President, NYSBA
Connors & Vilardo, LLP*

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

Hon. Mark D. Fox
Retired U.S. Magistrate Judge

Hon. Erin P. Gall
*Supreme Court Justice, Oneida County
Courthouse*

Peter Gerstenzang
*Gerstenzang, O'Hern, Hickey, Sills
& Gerstenzang*

Elizabeth Hecht
*Mead, Hecht, Conklin & Gallagher, LLP,
White Plains*

Jonathan D. Lupkin
Rakower Lupkin PLLC

Guy H. Mitchell
Office of the Attorney General

Michael P. O'Brien
O'Brien & Jacobs, PLLC

Hon. Jenny Rivera
New York State Court of Appeals

Hon. Marc Seedorf
Seedorf & Scheld

Hon. George J. Silver
New York State Supreme Court

Sherry Levin Wallach
Wallach & Rendo LLP

CRITIQUE FACULTY

James R. Barnes
Burke & Casserly, P.C.

Ronald J. Bekoff
Hession, Bekoff & Cooper, LLP

Sally G. Blinken
Venable LLP

T. Andrew Brown
Brown & Hutchinson

Jennifer Buckley
Saratoga County District Attorney's Office

Hon. Jerald S. Carter
Nassau County Court

Hon. Cheryl E. Chambers
Appellate Division, 2nd Judicial Department

Thomas J. Charron
Superior Court of Cobb County

Catherine A. Christian
Office of the Special Narcotics Prosecutor

Carrie H. Cohen
U.S. Attorney's Office SDNY

David Louis Cohen
Law Office of David Louis Cohen, Esq.

Richard D. Collins
Collins, McDonald & Gann, P.C.

James Davis
Saratoga County District Attorney's Office

Nicholas J. DeMartino
Attorney General's Office

Vincent E. Doyle III
*Past President, NYSBA
Connors & Vilardo, LLP*

Hon. Paul Feinman
NYS Appellate Division, First Department

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

Hon. Mark D. Fox
Retired U.S. Magistrate Judge

Michael L. Fox
Jacobowitz & Gubits, LLP

Marc Gann
Collins, McDonald & Gann, P.C.

Peter Gerstenzang
Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang

Sarah E. Gold
Gold Law Firm

Maureen Gorman-Phelan
Bronx County Hall Of Justice

Anthony J. Harwood
Anthony J. Harwood Law Firm

Seymour W. James Jr.
*Immediate Past President, NYSBA
The Legal Aid Society*

Hon. Deborah H. Karalunas
Onondaga County Supreme Court

Scott M. Karson
Lamb & Barnosky LLP

Matthew J. Kelly
Roemer Wallens Gold & Mineaux LLP

Kevin Kuehner
The Kuehner Law Firm, PLLC

Robert A. McDonald
Collins, McDonald & Gann, P.C.

Hon. Edward R. Mevec
*NYS Department of Corrections and Community
Supervision*

David P. Miranda
Heslin Rothenberg Farley & Mesiti PC

Mark J. Moretti
Phillips Lytle LLP

Philip W. Mueller
District Attorney's Office, Judicial Building

Michael O'Brien
Michael O'Brien, Attorney At Law

Mary Beth Ott
Attorney at Law

Gene Primomo
*Assistant Federal Defender
Northern District of New York*

Danielle Neroni Reilly
Law Offices of Danielle Neroni

Andrea Carapella Rendo
Wallach & Rendo, LLP

Hon. Jenny Rivera
New York State Court of Appeals

Cory J. Rosenbaum
Rosenbaum & Sanders, LLP

Lisa R. Schoenfeld
Schlissel Ostrow Karabatos PLLC

David M. Schraver
*President, NYSBA
Nixon Peabody LLP*

Hon. Marc Seedorf
Seedorf & Scheld

Jessica Segal
Dutchess County District Attorney

Eric H. Sills
Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang

Hon. George J. Silver
New York State Supreme Court

Tucker C. Stanclift
Stanclift Ludemann & McMorris, P.C.

Thomas P. Valet
Rheingold, Valet, Rheingold, McCartney & Giuffra, PC

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.-Niagra 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.



Thank You to Our Sponsors

Platinum Plus
Trial Lawyers Section

Platinum
Family Law Section

Gold

Business Law Section

*Torts, Insurance and
Compensation Law Section*

Young Lawyers Section

Silver
Criminal Justice Section

Bronze Plus
Corporate Counsel Section

Bronze
Commercial and Federal Litigation Section

Corporate Sponsors

USI Affinity
www.usiaffinity.com/benefits
(Sponsor of our insulated tumbler cups)



NEW YORK STATE BAR ASSOCIATION
MEETINGS DEPARTMENT

One Elk Street
Albany, NY 12207