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Young Lawyers Section Trial Academy

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

April 3 - April 7, 2019

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.

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.

www.nysba.org/ylstrialacademy

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 20, 2019.

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

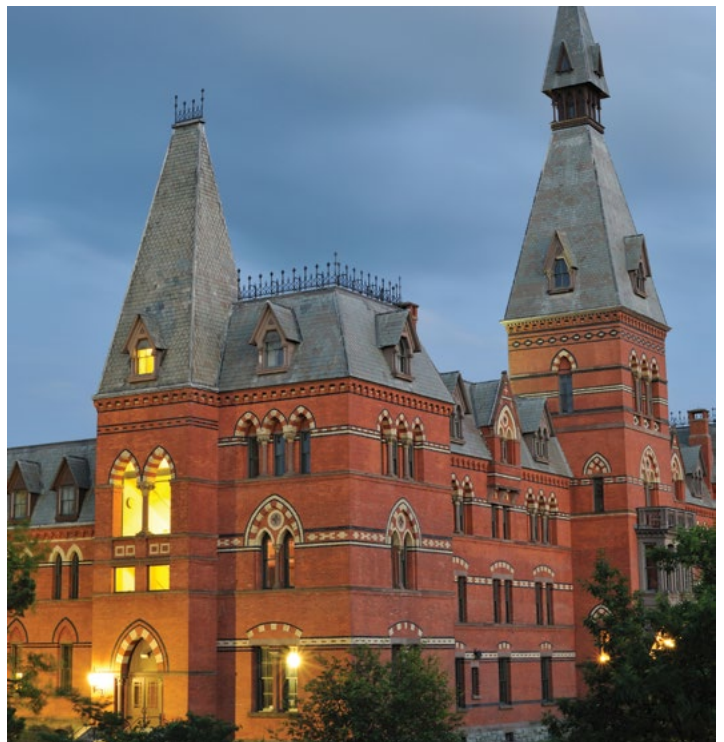
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Discounts and Scholarships: Attorneys may receive financial assistance to attend this program. Under New York State Bar Association policy, attorneys who require financial assistance may apply in writing, no later than 10 working days prior to the 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.



2019 SCHEDULE OF EVENTS

Wednesday, April 3

- 7:30 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Registration and Continental Breakfast
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** – Moot Courtroom
Young Lawyers Section Chair **Terrence L. Tarver, Esq.**
Trial Academy Program Co-Chairs
John P. Christopher, Esq. and Lauren E. Sharkey, Esq.
NYSBA President-Elect Designee **Scott M. Karson, Esq.**
Criminal Justice Section Chair and Program Co-Founder **Tucker C. Standliff, Esq.**
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** – Moot Courtroom
Speakers: **Stephen P. Younger, Esq.** (Civil), Patterson Belknap Webb & Tyler LLP, NYC
David Louis Cohen, Esq. (Criminal), Law Office of David L. Cohen, Esq., Kew Gardens, NY
- 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. – 1:15 p.m. **Faculty Demonstration of Jury Selection** – Classroom 184 Team B Room
- 1:15 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
- 6:30 p.m. – 8:00 p.m. Criminal Justice Section Executive Committee Meeting – Yale/Princeton Room, Statler Hotel – *All welcome to attend*

Thursday, April 4

- 8:00 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Sign-In and Continental Breakfast
Faculty Demonstration of Opening Statements –
Julie D’Agostino, Nassau County Family Court
- 8:30 a.m. – 10:10 a.m. **LECTURE: TRIAL ETHICS** – Moot Courtroom
Moderator: **Kaylin L. Whittingham, Esq.**, Whittingham Law, NYC
Speakers: **Hon. Deborah H. Karalunas** (Civil), Supreme Court Justice, Onondaga County 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: **Carrie H. Cohen, Esq.** (Criminal), Morrison & Foerster LLP, NYC
Joseph D. Morath, Esq. (Civil), Connors, LLP, Buffalo

2019 SCHEDULE OF EVENTS

- 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 – *All welcome to attend*

Friday, April 5

- 8:00 a.m. **Registration and Continental Breakfast** – Moot Courtroom
Faculty Demonstration of Direct Examination – Moot Courtroom
- Presented by: **Cynthia Lobo Law Firm**, New Rochelle, NY
- 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
Vincent E. Doyle, III, Esq. (Criminal), Connors LLP, Buffalo
- 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 6

- 8:00 a.m. **Registration and Continental Breakfast** – Moot Courtroom
Faculty Demonstration of Cross Examination – Moot Courtroom
- 8:30 a.m. – 9:20 a.m. **LECTURE: EVIDENCE, FOUNDATIONS & OBJECTIONS** – Moot Courtroom
- Speakers: **Laurie Vahey, Esq.** (Civil), Vahey Muldoon Reston Getz LLP, Rochester
Nicholas J. DeMartino, Esq. (Criminal), Nicholas J. DeMartino, Attorney at Law, 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, NY
- 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, Assistant Adjunct Professor of Law, Columbia Law School
Peter Gerstenzang, Esq. (Criminal), Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**

2019 SCHEDULE OF EVENTS

- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS** – Individual Presentations on Cross-Examinations and Faculty Critique
- 6:30 p.m. – 8:30 p.m. **10th ANNIVERSARY COCKTAIL RECEPTION** (*All Faculty and Students Invited to Attend*)
Ithaca Beer, 122 Ithaca Beer Drive, Ithaca, just 15 minutes from the Statler. Appetizers at 6:30 pm, buffet served at 7:30 pm
Hosted by NYSBA Secretary and Trial Academy Co-Founder Sherry Levin Wallach in celebration of 10 years of the Trial Academy.

Sunday, April 7

- 8:00 a.m. **Registration and Continental Breakfast** – Luncheon Room
Faculty Demonstration of Closing Arguments by Steven B. Epstein, Barket Epstein, LLP of Garden City – 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. **Adjournment** – Safe Travels and Thank You For Joining Us for the Trial Academy



2019 FACULTY

TEAM LEADERS

Xavier Donaldson
Donaldson & Chilliast LLP, NYC

Vincent E. Doyle, III,
Connors, LLP, Buffalo
Former NYSBA President

Michael E. Getnick
Getnick Livingston Atkinson & Priore,
LLP, Utica, Former NYSBA President

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

David Louis Cohen
Law Office of David L. Cohen, Kew
Gardens

Richard D. Collins
Collins Gann McCloskey & Barry PLLC
Mineola

Nicholas J. DeMartino
Nicholas J. DeMartino, Attorney at
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Prof. Michael L. Fox
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Oneida County Supreme Court Justice

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Onondaga County Supreme Court
Justice

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

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Acting Supreme Court Justice, Albany
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Rochester

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Law Office of David L. Cohen

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Raiser & Kenniff, Mineola

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Collins Gann McCloskey & Barry PLLC

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Nicholas J. DeMartino,
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Nassau County Supreme Court

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Warren County Surrogate's Court

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Law Offices of Donald T. Kinsella

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NYS Office of the Attorney General

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New York State Supreme Court

Hon. Edward Mevec
NYS Department of Corrections and
Community Supervision

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Jonathan Sennett
Kings County District Attorneys Office

Eric H. Sills
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Barton L. Slavin
Slavin & Slavin, Esqs.

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Stanclift Law PLLC

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Tarver Law Firm, PC

Hon. Jonah Triebwasser
Red Hook Town and Village Justice

Laurie Vahey
Vahey Muldoon Reston Getz, LLP

David Varriale
Kaufman, Borgeest & Ryan LLP

Michael Wetmore
Albany County District Attorney's Office

JUROR/WITNESS COORDINATOR

Kevin Thomas Kelly, Esq.
Law Office of Kevin Kelly, Ithaca

YOUNG LAWYERS SECTION TRIAL ACADEMY COMMITTEE CO-CHAIRS

Prof. Michael L. Fox
*Mount Saint Mary College
Columbia University School of Law*

Sarah E. Gold
Gold Law Firm, Albany

TRAVEL INFORMATION

AIR SERVICE

Ithaca is served by the **Ithaca Tompkins Regional Airport** (flyithaca.com), located just four miles north of the Cornell campus. American (aa.com), Delta (delta.com), and United (united.com) serve ITH with nonstop jet service from their respective hubs at Philadelphia, Detroit, and Washington/Dulles. Connecting service from other areas is provided via those hub airports.

Most of Ithaca's hotels offer complimentary shuttle service to and from the airport.

INTERCITY BUS SERVICE

From Manhattan:

Half a dozen different carriers provide a mix of express and conventional (through-bus) service from Manhattan to Ithaca. Fares vary considerably from one carrier to another, and in some cases also vary depending upon when you book, so it pays to compare if cost is a factor.

Cornell's Campus 2 Campus bus (c2cbus.com) offers express service to Sage Hall, directly opposite the university's on-campus Statler Hotel. OurBus (ourbus.com) and Big Red Bullet (bigredbullet.com) offer express service to downtown Ithaca, as does Short Line's Ithaca Platinum service (ithacaplatinum.com). Travel time for these services is approximately 4-4.5 hours.

Conventional, through-bus service to downtown Ithaca is also provided by **Greyhound** (greyhound.com), **New York Trailways** (trailwaysny.com), and **Short Line** (shortlinebus.com). In addition, **Megabus** (us.megabus.com) now sells seats on the Short Line buses, sometimes for considerably less than what it would cost to purchase a ticket directly from Short Line itself. Travel time for these conventional bus services is approximately 5 hours.

From places other than Manhattan:

Greyhound, New York Trailways, and Short Line provide nonstop, through, or connecting service to downtown Ithaca from other points within and outside of New York State.

ONE-WAY CAR RENTALS

One-way car rentals to and from Ithaca are available from Avis (avis.com), Budget (budget.com), and Hertz (hertz.com), all of which have counters at the Ithaca Tompkins Regional Airport.

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.

For those staying at the Statler, it is recommended you not drive down to Myron Taylor Hall Wednesday–Friday as parking permits purchased at the Traffic Booths only grant access to the Hoy Road parking garage, which is further away from Myron Taylor Hall than the Statler.

For those of you driving to campus, please leave yourself extra time on Wednesday to purchase a parking pass, find the parking garage and walk to Myron Taylor Hall.

Pull up to the **Traffic booth on Campus Road (the Traffic Booth Opens at 7:30 am)** to purchase one-day visitor parking permits and obtain directions to park at the Hoy Road parking garage. Please be sure to observe parking signs as all parking lots are restricted and monitored. (The Hoy Road Parking Garage GPS address can be entered as: 167 Hoy Road, Ithaca, NY 14853.) Myron Taylor Hall is several blocks from the garage, about a 10-15 minute walk (524 College Avenue, use any entrance).

On Saturday and Sunday, the Transportation Department will not be monitoring or ticketing, so parking at the Myron Taylor Hall lot is open to all but limited, and available on a first come, first served basis.

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

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



**NEW YORK STATE BAR ASSOCIATION
DEPARTMENT OF SECTION AND MEETING SERVICES**

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