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Sabrina Charles-Pierre,
Editor

ROCKLAND COUNTY BAR ASSOCIATION

NEWSBRIEF

www.rocklandbar.org

February 2020

WON'T YOU CONSIDER

JOINING THE

RCBA

LAWYER REFERRAL SERVICE?

A new year begins January 1, 2020

Annual fee = \$100.00 for 2020*

Find out more:

Go To: www.rocklandbar.org

Click on "Member Resources"

Click on "Join the Lawyer Referral Service"

IT'S TIME TO JOIN OR RENEW.

Grow your practice today!

*For Attorneys admitted 5 years or less cost is only \$75. Annual fee includes up to 3 panels. Additional panels up to 8 panels available for additional \$20 fee per panel.

NOMINATIONS FOR AWARDS

We have a membership of many outstanding attorneys. Each year we recognize those that are nominated by their peers. If you would like to nominate someone for one or more of our awards, please fill out this form and fax (845-634-1055) or e-mail nancy@rocklandbar.org. Final decisions are made by our Board of Directors at an upcoming Board Meeting. Please submit your nominations as soon as possible.

THE LIBERTY BELL AWARD This award is presented on Law Day to a member of our Community for outstanding service in promoting a better understanding or respect for the Constitution, the Bill of Rights and our institutions of government. Generally this award is usually given to a non-lawyer.

I wish to Nominate:

THE STERNS AWARD Given in the memory of Richard Sterns to a RCBA member who has made significant contributions to the Bar Association and the People of Rockland County over the year - service above self on behalf of the association. This award is presented at the Installation Dinner in June.

I wish to Nominate:

THE LIFETIME ACHIEVEMENT AWARD Presented to an individual for exemplary achievements as an attorney or judge over a career. This award is presented at the Annual Dinner.

I wish to Nominate:

THE JOSEPH G. BALSAMO AWARD This award is presented at the June Installation Dinner in memory of Joseph G. Balsamo, Esq., to a RCBA member who has gained significant respect from the members of the Bar and the public for his personal and professional contributions to both, while maintaining the highest form of integrity and professionalism while advocating for each.

I wish to Nominate:

THE NATALIE COUCH AWARD This award is dedicated to the memory of Natalie Couch, a pioneering member and president of the Rockland County Bar Association, who was a voting rights advocate and an influential community leader. The honoree should be someone whose own accomplishments have served to inspire others to overcome prejudice and barriers in attaining their goals for the benefit of our community. This award is presented at the Annual Dinner.

I wish to Nominate:

Please print this page, complete Form & FAX to 845-634-1055,
or scan and send to office@rocklandbar.org

Spring is in the air! *(almost)*

Time for the

RCBA

SPRING FLING

Thursday, May 7, 2020

6-9PM

Growler and Gill

Save the date!

LAWYER REFERRAL SERVICE (LRS)
TIME TO RENEW OR JOIN FOR 2020

The Lawyer Referral Service (LRS) program year runs from
January 1 – December 31.
It is time to renew or join!

TO RENEW:

Go to homepage on our website, www.rocklandbar.org, and go to “Member Resources.”

1. Click on “Join the Lawyer Referral Service”
2. Log-in to your account
3. Click on “2020 Renewal Form”

TO JOIN:

Go to homepage on our website, www.rocklandbar.org, and go to “Member Resources.”

4. Click on “Join the Lawyer Referral Service”
5. Log-in to your account
6. To Sign-up for the first time: click on “Plan Description and Full Application”

JOIN OR
RENEW
TODAY

PLAN OF THE LAWYER REFERRAL SERVICE

The Rockland County Bar Association under the guidance of the American Bar Association, has established a Lawyer Referral Service (“The Referral Service”) on a County-wide basis. The office is located at the Rockland County Bar Association, 337 North Main Street, Suite 1, New City, New York 10956.

The willing participation and continued support of lawyers practicing in Rockland County is crucial to the smooth operation of the Referral Service.

The purposes of the Referral Service are:

- To be a public service, available to assist the general public by providing an alternative source for any person who can afford to pay a reasonable fee for legal services and who does not have a lawyer by providing a referral to a lawyer who practices in Rockland County.
- To provide a vehicle for persons who need a legal representative but whose earnings or assets are too high for the standards set by Rockland County Legal Aid Society or Pro Bono New York; and
- To establish a better rapport between the public and the legal profession.

The Referral Service Plan is not designed to take clients away from attorneys. In fact, a cardinal principle will be to establish whether a prospective client has a present attorney. The Referral Service will not refer the client to a panel attorney of the Referral Service if we learn that a prospective client has seen other attorneys in an effort to bargain on fees. Additionally, a prospective client shall not be referred to a panel attorney if the prospective client has previously engaged the services of a lawyer on the same matter unless the original-lawyer-client relationship has been properly terminated in writing.

1. Membership on the Referral Service Panel is by individual attorney and not by law firm.
2. A panel attorney must abide by all of the rules of the Referral Service and will in no way hold, or claim to hold, the Rockland County Bar Association, the Referral Service or any of the members, officers or employees liable in connection with any referral made.

***Won't you consider joining this important service? Find out more. Go to: www.rocklandbar.org.
Go to "Member Resources."***

MOCK TRIAL ROCKLAND

PRELIMINARY ROUNDS:

**Monday, March 2 and Wednesday, March 4, 2020 5:30 P.M.
Clarkstown Justice Court**

PRELIMINARY ROUNDS:

**Monday, March 9 and Wednesday, March 11, 2020 5:30 P.M.
Clarkstown Justice Court**

“Play In” Round:

**Monday, March 16, 2020 5:30 P.M.
Clarkstown Justice Court**

QUARTER-FINAL ROUNDS:

**Monday, March 23 and Wednesday, March 25, 2020 5:30 P.M.
Clarkstown Justice Court**

SEMI-FINAL ROUND:

**Wednesday, April 1, 2020 5:30 P.M.
Clarkstown Justice Court**

FINAL ROUND:

**Wednesday, April 22, 2020 5:30 P.M.
Rockland County Courthouse**

*Participating schools: Albertus Magnus, Clarkstown North,
Clarkstown South, Nanuet, North Rockland, Nyack, Pearl River,
Ramapo, Rockland BOCES, Spring Valley*

All are welcome to attend and cheer your favorite team, but please do not inform the Judges of the school you are supporting.

GO TEAM!

**MOCK TRIAL 2020 COMMITTEE:
AMY MARA, AIMEE POLLAK, CHRIS EXIAS – CO-CHAIRS
ANDREA COMPOSTO, JUDGE DAVID ASCHER,
BRIDGET GAUNTLETT, PHOENIX MARINO**

THE NEW RCBA
LUNCH WITH A JUDGE
PROGRAM
THIS MONTH FEATUURING...

Hon. Paul I. Marx, JSC

Thursday, February 13, 2020 - 12:30-1:45PM

Location: Sheriff's Training Facility, 49 New Hempstead Rd.,
New City

Space is limited! RSVP in advance by calling the Bar Association
at 845-634-2149.

*A light lunch will be provided. Join us...to have a relaxed lunch and discuss general topics,
procedures, and ideas.*

Lunch Sponsor: M&T Bank



**Rockland County
Bar Association**

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To take advantage of this Introductory offer, email Nancy ASAP at nancy@rocklandbar.org or call us at 845-634-2149. Introductory offer good through August 1, 2020. Contact us today!



**Online
@ads**

PRACTICE TIP ON PAYMENT GUARANTY**Submitted by Martin Butcher, Esq.**

The recent decision in *Aronson, Mayefsky & Sloan v. Toboroff*, 2020 NY Slip Op 30021(U), before the Hon. Judge Anthony Cannataro, J.S.C., of the Supreme Court, New York County, is a good reminder to be careful in drafting a guaranty for payment of legal fees by someone on behalf of a client at the time of retention.

In this case, there was a dispute between the law firm and the father of a client, who had guaranteed the payment of legal fees by the client, his daughter, as to whether there was a guaranty of payment or of collection.

In quoting *McMurray v Noyes*, 72 NY 523, 524-25 [1878], the court stated:

The fundamental distinction between a guaranty of payment and one of collection is, that in the first case the guarantor undertakes unconditionally that the debtor will pay, and the creditor may, upon default, proceed directly against the guarantor, without taking steps to collect of the principal debtor . . . while in the second case the undertaking is that if the demand cannot be collected by legal proceedings the guarantor will pay, and consequently legal proceedings against the principal debtor, and a failure to collect of him by those means are conditions precedent to the liability of guarantor.

It is the intention of the parties, as gathered from the four corners of the retainer agreement, which will determine the form of the guaranty.

In finding that the guaranty was one of payment, the court noted that Mr. Toboroff had guaranteed “the timely payment and timely performance of all obligations of his daughter ... arising out of the Retainer Agreement”. The Court further noted that there was no reference to a requirement that the firm seek to recover from the client before seeking payment by the guarantor.

Accordingly, when drafting a guaranty, ensure that the language clearly indicates the intention that the guarantor will pay in a timely manner in the event of a default by the client, without the need for an attempt to collect directly from the client as a condition precedent.

Martin Butcher, Esq., is Senior Counsel practicing family law with the firm of Jacobowitz & Gubits, LLP, located at 158 Orange Avenue, Walden, New York 12586, Tel. No.: (845) 778-2121, E-Mail: msb@Jacobowitz.com.

COMMERCIAL LITIGATION ISSUES OF INTEREST**Submitted by Joseph Churgin, Esq. and Susan Cooper, Esq.***

An award was entered in favor of your client in a fee dispute arbitration. You did not attend the arbitration. Instead, knowing that hearsay evidence is admissible in arbitration, you sent your paralegal to testify about the necessity of the services rendered and the reasonableness of the fees charged, based on conversations with you. The arbitrator refused to consider the hearsay testimony of the paralegal. You move to vacate the arbitration award, arguing that an arbitrator is not bound by rules of evidence and can consider hearsay evidence. You cite case law that supports vacating an arbitrator's unreasonable exclusion of pertinent evidence.

Will you succeed in vacating the judgment entered on the arbitration award?

The answer is "no."

In *Prasad v. Spodek*, NYLJ 1577479578NY57055819, 219 NY Slip Op. 51910(U), 65 Misc.3d 154(A) (App. Term, 1st Dep't, December 2, 2019), *Spodek* appealed from a judgment of \$4,999 entered upon an order denying *Spodek's* motion to vacate a fee dispute arbitration award in favor of his client.

The Appellate Term began by noting its agreement with the "general proposition" that an arbitrator's unreasonable exclusion of pertinent evidence can justify vacating an award, citing *Matter of Professional Staff Congress/City Univ. of N.Y. v. Board of Higher Educ. of City of N.Y.*, 29 N.Y.2d 318, 323 (1976). The Court also agreed that an arbitrator is not bound by the rules of evidence and can consider hearsay, citing 22 NYCRR 137.7(b) and *Matter of Donald & Co. Secs. [Jones]*, 270 A.D.2d 56 (1st Dep't, 2000).

Nonetheless, "it does not follow from these propositions," the Court explained, "that an arbitrator is precluded from excluding evidence and that such preclusion constitutes misconduct," citing *Matter of Brill [Muller Bros.]*, 17 A.D.2d 804 (1962), *aff'd* 13 N.Y.2d 776 (1963), *cert. den.* 376 US 927 (1964). The Court ruled that the arbitrator's refusal to consider hearsay testimony from *Spodek's* paralegal was not misconduct. *Spodek* did not explain why he did not personally appear. Nor did he submit evidence by written declaration, as permitted by 22 NYCRR 137.6(i). The Court reasoned that consideration of the paralegal's hearsay testimony would have been unfairly prejudicial to the client petitioner, depriving her of effective cross-examination, citing *CPLR 7506(c)* and *LJL 33rd St. Assocs., LLC v. Pitcairn Props. Inc.*, 725 F.3d 184, 194-95 (2d Cir. 2013), *cert. den.* 572 U.S. 1114 (2014).

Finally, 22 NYCRR 137.7(a) provides that the attorney has the burden to prove the reasonableness of the fees by a preponderance of the evidence, and present documentation of the work performed and billing history. Accordingly, and in light of the fact that the paralegal was unqualified to testify about the necessity and reasonableness of the fees, *Spodek* failed to show that the arbitrator's refusal to consider such testimony constituted an abuse of discretion sufficient to vacate the award.

The lesson? A fee dispute arbitration requires competent testimony of the necessity of the work performed and the reasonableness of the fees charged. If you are arbitrating a fee dispute, attend the arbitration yourself.

TECHNOLOGY TIPS FOR ATTORNEYS**submitted by****Michael Loewenberg*****One Touch Voicemail Access**

Dialing into your voicemail system from outside to retrieve messages can be really easy if you've set up the automatic dialing of your access code and password. What does that mean? Let me explain.

I have a voicemail system where I can dial in to retrieve my messages, change my greeting and manage my voicemail box. I can call the receptionist in my office and she'll transfer me to my voicemail box so I can listen for new messages. But there's a better alternative: accessing my voicemail with a single tap without talking to anyone!

We have a 'back door' phone number where we can dial in directly to the voicemail system and, using a set of touch-tone commands, access voicemails and otherwise manage our mailbox. You might not have a back door number for your voicemail access; you might dial into your regular line and then enter your voicemail credentials to retrieve your messages, for example. Regardless of the way your voicemail system works, you can streamline the process by using your phone to memorize and transmit your information to your mailbox automatically – one-touch voicemail access.

Our goal here is to create an autodial function that you'll save on your phone so you can access your voicemail system from your phone's favorites.

The secret is to send special characters to your voicemail system from your phone that tell the voicemail system to pause or wait for a command. All phones can transmit these special, standard tones so let's get to it.

First, determine how you get to your electronic voicemail system from outside your office. Do you dial a specific number? Do you dial your own number and then, when prompted, type in some access numbers and your password?

Second, write down the phone keys you need to press to access your voicemail system. Yours might require that you press the star * or number # key. Make sure you test the process so you know it works; then write it down.

Third, make a note of the timing of the touchtones you need to send to access your voicemail. For example, your system might answer your call and ask you to press the * key to access your account. Count the seconds between the call being answered and the prompt to press the necessary key – that's the length of the pause you'll add to your autodial function.

Finally, write down all the keys you press to access the system. It might be your password, it might be your extension and the password. Again, make sure whatever your record actually works.

Continued.

***Continued.* - TECHNOLOGY TIPS FOR ATTORNEYS**

submitted by

Michael Loewenberg***One Touch Voicemail Access**

Here's a complete example:

- Phone number to call
845-634-xxxx
- Voicemail System answers with its greeting and then a prompt to press the * key to access your voicemail
The time from the welcome greeting to the prompt to press the * key is 7 seconds
- The system prompts me to enter my username followed by the #
The voice prompt is 5 seconds
- My voicemail lets me combine my extension and password, each followed by the # key.
- I can then hear my messages.

When you're setting up your phone number to access your voicemail, press the special character key and you'll be given the option to add a pause or wait command into your auto-dial string. Phones and carriers vary so you'll have to experiment with the number of pauses you need to match your voicemail system. I use two pauses on my autodial to get to the end of the welcome greeting when I'm prompted to press the * key.

Pauses work great if your process is the same all the time. However, you might have to call a person to be transferred to your extension in order to access your voicemail; that would make a scheduled pause in your autodial unworkable. That's where the 'wait' command comes in! The 'wait' command interrupts the automated string of tones until a key is pressed, then it continues to send the memorized tones. That way, once you're in your system, you can resume the streamlined process.

On my phone, I created a new contact called Office Voicemail and entered the phone number with the pauses and waits necessary to access my mailbox. For the example above, the saved autodial number would look like this

(845)639-xxxx <pause><pause> * <pause> username#password#

When I tap the Office Voicemail shortcut in my favorites, my phone calls my voicemail, signs me in and tells me if I have messages.

Your phone operating system controls how you enter pause and wait commands; do a quick internet search if my description doesn't match your setup exactly.

Streamline your voicemail access process today. You'll be glad you did!

**Michael Loewenberg is the President of MESH Business Solutions, Inc., New City, NY, 10956 and he is also an Affiliate Member of the RCBA.*

THE PRACTICE PAGE**Hon. Mark C. Dillon *****JUMPING INTO LEAP DAY**

We are nearing the quadrennial 29th day of February. The oddity of leap day spills into our law in such areas as the statute of limitations, statutory "speedy trial," pensions, employment, schooling, and interest payments. Leap day was included in the Gregorian calendar decreed by Pope Gregory XIII in 1582, to account that a year is actually 365.24 days long. An extra day is needed on the calendar every four years to adjust for the fractional overage. There is no leap day in any year divisible by 100, but there is a leap day for years divisible by 400. Therefore, 1900 was not a leap year, 2000 was, and 2020 is. The Gregorian calendar is so accurate that in 8,000 years, it will be off by only one day. The Gregorian calendar is adopted in New York in General Construction Law 57.

If a cause of action accrues on February 29th and the applicable statute of limitations is measured by a number of years concluding when there is no February 29th, does the limitations period run to February 28 of the out year, or March 1? The answer is found in GCL 58, which provides that the extra day of leap year (the 29th) and the day immediately preceding it (the 28th) are treated as one combined day for purposes of time computations. Therefore, and counter-intuitively, the statute of limitations expires on February 28 of the out year. Of course, for actions subject to a four year limitations period such as breach warranty from the sale of goods and twenty years to recover on bonds and money judgments, the statute expires on the February 29th anniversary date of the fourth or twentieth year. Also, therefore, persons who are born on February 29 should celebrate their birthdays on that calendar day in leap years, but on February 28 during the off-years. Attorneys computing statutes of limitations measured by days such as 30 days for challenging filed zoning board decisions and one year and 90 days for commencing actions against municipalities must take into account the extra day in February for precisely calculating the last day of timeliness.

Education Law 3204.4 defines a school year as consisting of 180 non-holiday days that school is in session. That number applies in all years, whether the year consists of 365 or 366 days. Therefore, there is an extra day of summer vacation for students and teachers in leap years.

Continued.

Continued. - THE PRACTICE PAGE**Hon. Mark C. Dillon *****JUMPING INTO LEAP DAY**

In criminal law, the People are required to be ready for trial within six months for felonies, 90 days and 60 days for defined misdemeanors, and 30 days for non-criminal violations, minus “excludable” time. The extra day must be taken into account not just in measuring the 90, 60, or 30 day readiness periods, but also, in subtracting excludable time.

On average, two out of seven leap days fall on a weekend when many salaried employees have a day off, resulting in an extra day off with pay. Conversely, five of seven leap days fall on a weekday where many salaried employees work the extra day without additional compensation. Employees paid by commissions, contingency fees, per diems, or hourly wages are unaffected.

One case reported nationally involved the role of leap day in determining a retiree’s pension, *Cella v Sanitary Dist. Employees’ and Trustees’ Annuity and Ben. Funds*. In *Cella*, a retiree argued that his pension, calculated against his highest 24 months of earnings, should have been adjusted to add an extra day’s wages for a leap day during the period. The court disagreed because the pension was expressly calculated based on “months” instead of “days.” The same result would likely be reached in New York given the language of GCL 58, that a month means a month regardless of its specific number of days.

The per diem computation of contractual interest, and statutory interest on verdicts and judgments, must also take leap day into account for accuracy.

Calculations in legal matters must be precise. Attorneys need to account for leap day to avoid the untenable and embarrassing circumstance of missing a deadline or calculation by a single day. Be mindful of the count in the relevant years.

* *Mark C. Dillon is a Justice of the Appellate Division, 2nd Dept., an Adjunct Professor of New York Practice at Fordham Law School, and an author of CPLR Practice Commentaries in McKinney’s.*

¹. UCC 2-725.

². CPLR 211.

³. Town Law 267-c.

⁴. GML 50-i[1].

⁵. *DeCicco v City of Syracuse*, 68 AD3d 1771, 1772 (4th Dept.2009).

⁶. CPL 30.30(1), (4).

⁷. *People v Williams*, 2008 WL 9837186 (Sup. Ct. NY Co., 2008).

⁸. 266 Ill.App. 558 (Ill. App. 1994).

⁹. CPLR 5001-5003; 235 E. 83 *Realty, LLC v Fleming*, 18 Misc.3d 1142[A]).



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OFF-SITE VISITATION through BIG BROTHERS BIG SISTERS COMING SOON IN THE FALL 2019

With full support from the Rockland County Family and IDV Court, Big Brothers Big Sisters of Rockland County, NY will be offering off-site supervised visitation beginning in the fall of 2019 at \$50.00 per hour.

Big Brothers Big Sisters has been offering on-site court ordered visitation for over 14 years and has proven to be a reliable source for the families, judges and the Family Court system.

For more information, please email or call Gillian Ballard, our president and CEO at the number below.

Gillian Ballard, President/CEO
Big Brothers Big Sisters of Rockland County
T: 845-634-2199 Ext. 5
gballard@bbbsofrc.com

LAW BOOKS AVAILABLE FOR FREE

Arnold Etelson, Esq. is retiring from the practice of law after 57 years and has many books in his law library available to anyone. Most of them are quite old and might not be of use except historically, but some are more recent with supplements that could be of use to our practitioners. He has described them as best and concisely as possible. His office is at 1 Executive Boulevard, suite 104 in Suffern, NY and he can be reached at 845 368-3310. He is desirous of disposing of these books as soon as possible and asks that you contact him promptly if you are interested. The books are as follows:

NYS Court of Appeals 244-309 and 2 NY2d -69NY2d to 1987
 NYS Appellate Division 223-286 1928-1955 and 1 App. Div. 2d -129 App. Div. 1928-1955 and 1956-1987
 NY Miscellaneous 127 to 174 1926 to 1940 and 44 Misc.2d to 135 Misc. 2d with several missing
 NY Statutes NY Consolidated Law Service supplements to 2014 or 2016
 NY Real Property Forms-Bergerman & Roth Volumes 1-4 supplm to 1987
 Eager on Chattel Mortgages and Conditional Sales suppl to 1943
 Warren's Weed NY Real Property 6 volumes suppl to 1979
 Real Estate Titles James Podowitz suppl to 1987 NYSBA
 CLS NY Statutes spplm to on or about 2016
 Encyclopedia of Real Estate Forms Jerome Gross 1973 Prentice Hall
 Personal Financial Planning Handbook 2d edition Jonathan Pond 1998
 Real Estate Manual Louis Schwartz Mathew Bender 1937
 60 Minute Estate Planner Sandy Kraemer Prentice Hall 1994
 The Law of Real Estate Brokers Biskind & Barasch Clark Broadman supp to 1979
 Standard Forms of Agreement Gordon 1936 Prentice Hall
 Jensen on Mechanics Liens Edward Marks 1963 suppm to 1978
 Buying or Selling a Small Business NYSBA 1986
 NYS Probate Schlesinger & Mariani 4 volumes 1997
 Business By-out Agreements suppl to 1978
 Attorney Escrow Accounts 4th Edition Peter Coffey 2015
 Drafting NY Wills Klipstein suppl to 1963
 Harris on Handling Federal & Estate & Gift Taxes suppl tp 1984 Rasch
 Clark Broadman Callaghan
 Elder Law & Will Drafting Amelea & Krooks 2009
 Warren's Heaton on Surrogate's Courts 7 volumes suppl to 1963 Matthew Bender
 NY Zoning Law & Practice 2d edition Anderson suppl to 1990
 Settling An Estate 2 volumes NYSBA 1992 & 1999
 Benders Forms of Pleading 12 volumes suppl to 1979
 Plaintiff's Proof of a Prima Facie Case Corvain Acme Press suppl 1980
 Use of Trusts on Estate Planning Michael Mariani PLI 1998
 A Trustee's Handbook-Loring 1994
 Consent to Treatment Rozovsky suppl to 1994
 Health Compliance & Update John Steiner Aspen Press 2003
 NY Elder Law Handbook suppl to 2000 PLI
 Mortgages & Mortgage Foreclosures in NY Callaghan 2 volumes to 1986
 Mortgage Foreclosures in NY Bergman NYSBA 1996
 Mortgage Foreclosures NY Lawyer's Practical Skills Series Francis Smith
 2015 including forms and CD
 Mortgage Foreclosures & Workouts Practical Skills NYSBA 2010
 Asset Protection Legal Planning & Strategies 1994 Warren, Gorman & Lamont
 Plan Your Estate With a Living Trust Dennis Clifford 1992 Nolo Press
 Living Trusts Forms & Practice Bickel Matthew Bender 1993
 Case Law Public Liability & Related Subjects 2 volumes 1964 Louis Helfenstein Consolidated Insurance Companies
 NY Criminal Practice Waxner vol. 1 suppl to 1992
 NY Civil Practice Weinstein, Korn & Miller 16 volumes to 1997
 Carnody Wait 2d Lawyers Practice with forms Lawyers Co-op suppl to 1999 31 volumes
 Drafting NY Wills Klipstein & Bloom 2 volumes 2007 Lexis Nexis
 Benders Forms for the Civil Practice 1970 14 volumes

IMPORTANT NOTICE

Please see this important announcement inside this issue of Newsbrief:

- 1. Lawyer Referral Service (LRS) - time to renew instructions
(page 3)
- 2. Online Website Ads - now available (page 8)

still not a member?
JOIN NOW!



2020 RCBA
Lawyer
REFERRAL SERVICE

VISIT US ONLINE



OPEN FOR BUSINESS

MEMO

TO ALL RCBA COMMITTEE CHAIRS & VICE- CHAIRS

The Association is seeking articles from your committee for publication in the Bar's monthly Newsletter. The membership would greatly benefit from your input and would appreciate it. The article does not have to be complicated or long- a succinct piece of general interest and importance would be best.

If you are able to submit an article for the Newsletter it should be sent via email to sabrina@rocklandbar.org by the 15th of the month so that the Executive Board may review it.

Thank you!



Monthly
Newsletter

IMPORTANT NOTICE!

Attention All RCBA Members:

You must sign up when you renew your annual Membership – if you wish to serve on any RCBA Committees.

Committee membership is not automatic.

~

Call Sabrina with your questions or to be sure you are enrolled in the Committees of your choice -- at 845-634-2149.

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is important.

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2020 CLE TITLE	DATE & TIME
TBD	Monday, February 24, 2020 12:00PM - 2:00PM
Mortgage Foreclosure	Wednesday, March 11, 2020 6:00PM - 9:00PM
Criminal Tax & Diversity	Friday, April 3, 2020 12:00PM - 2:00PM
Ethics Update	Tuesday, April 21, 2020 12:00PM - 2:00PM

NEW CLE REQUIREMENT

In addition to ethics and professionalism, skills, law practice management, and areas of professional practice, a new category was added for diversity, inclusion and elimination of bias courses. This category of credit is effective January 1, 2018.

Experienced attorneys due to re-register on or after July 1, 2018 must complete at least one credit hour in the Diversity, Inclusion and Elimination of Bias CLE category of credit as part of their biennial CLE requirement. The transitional CLE requirement for newly admitted attorneys remains unchanged. For more information about the CLE Rules, visit nycourts.gov/Attorneys/CLE.

CLE REQUIREMENTS

Newly admitted attorneys must complete 32 credit hours of accredited “transitional” education within the first two years of admission to the Bar. Sixteen (16) credit hours must be completed in each of the first two years of admission to the Bar as follows: 3 hours of Ethics and Professionalism; 6 hours of Skills; 7 hours of Practice Management and/or areas of Professional Practice.

Experienced Attorneys must complete 24 credit hours of CLE during each biennial reporting cycle: 4 credit hours must be in Ethics and Professionalism. The other credit hours may be a combination of the following categories: Ethics and Professionalism, Skills, Practice Management or Professional Practice.

COMMITTEE CORNER

Criminal Law Committee
Tuesday, February 4, 2020
5:15pm @ the New City Library

Diversity Committee
Tuesday, February 11, 2020
6:00pm @ the RCBA Offices

Law Day Committee
Wednesday, February 19, 2020
12:30pm @ the RCBA Offices

Need a Place to Meet in New City?

RCBA Conference Rooms available for rent.

MEMBER PRICES:

1st two hours FREE, then \$25/hour
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NON-MEMBER PRICES:

\$50/hour
Half Day (4 hours) = \$150.00
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Legal Recruitment

[Division of State Counsel - Claims Bureau – Medical Malpractice Section - Assistant Attorney General – New York City](#)

Application Deadline is February 7, 2020

The New York State Office of the Attorney General's Claims Bureau in New York City is seeking a trial attorney to defend Medical Malpractice cases. The Claims Bureau represents the State of New York and its agencies in the Court of Claims and its employees in State Supreme Court. The selected candidate will defend the State in medical malpractice actions, from commencement through trial, with post-trial briefs often required.

To apply, please click on this link: [CL/MM NYC AAG 3274](#).

[Division of Criminal Justice - Criminal Enforcement and Financial Crimes Bureau Legal Support Analyst – New York City](#)

Application Deadline is February 7, 2020

The [Criminal Enforcement and Financial Crimes Bureau](#) of the New York State Office of the Attorney General (OAG) is seeking talented candidates for the position of Legal Support Analyst (LSA) in the New York City office. LSAs work closely with Assistant Attorneys General, investigators, and forensic auditors to investigate and prosecute complex financial schemes and white-collar crimes, including securities and investment fraud, internet-based fraud schemes, insurance and public benefits fraud, and tax crimes.

To apply, please click on this link: [CEFC LSA NYC 6127](#).

[Division of State Counsel - Litigation Bureau - New York City - Assistant Attorney General](#)

Application Deadline is February 28, 2020

The New York State Office of the Attorney General (OAG) is seeking experienced litigators to serve as Assistant Attorneys General in the New York City Litigation Bureau. The Bureau represents and defends the State of New York and its agencies, officials and employees in federal and state courts in civil actions and proceedings involving civil rights, education, social services, public employment, public health, law enforcement, corrections, state finance, insurance, taxation, and other litigation matters arising out of state legislation, regulations, and operations.

To apply, please click on this link: [LIT NYC AAG 3275](#).





Legal Recruitment

Division of Economic Justice - Investor Protection Bureau - Assistant Attorney General - New York City

The New York State Office of the Attorney General is seeking an experienced attorney, preferably with securities litigation experience, to lead investigations and trials conducted by the Investor Protection Bureau located in New York City. The bureau, which has both regulatory and enforcement authority, protects the public from fraud and misrepresentation in the offering and sale of securities, commodities, franchises and other investment products.

To apply, please click on this link: [IPB AAG NYC 3277](#).

Division of Social Justice - Health Care Bureau - Assistant Attorney General - New York City *Application Deadline is March 13, 2020*

The New York State Office of the Attorney General is seeking an experienced attorney to serve in its Health Care Bureau in New York City. The Health Care Bureau seeks to protect consumers from deceptive or illegal practices and to ensure access to health care by bringing civil prosecutions for violations of health, insurance, deceptive practice, antidiscrimination and other applicable laws. In addition, the Bureau advocates for legislation and policy initiatives to enhance the rights of health care consumers and their ability to access quality, affordable care in New York State. The Bureau has been recognized for its enforcement work in the areas of mental health parity and predatory practices, among other areas, as well as for its consumer Helpline, which assists in resolution of individual consumer complaints.

To apply, please click on the following link: [HCB AAG NYC 3278](#).

Division of Social Justice Civil Rights Bureau, Hate Crimes Unit **Unit Chief - New York City**

Application Deadline is March 13, 2020

The New York State Office of the Attorney General is seeking a dedicated attorney to lead the office's newly-formed Hate Crimes Unit. The Unit, which is within the Civil Rights Bureau in the New York City office, will be responsible for enforcing civil laws that protect New Yorkers from crimes perpetrated against victims because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. The Unit will also be responsible for developing effective ways to combat hate crimes and hate groups through public education, outreach, and policy work.

To apply, please click on the following link: [CRI/HCU UC NYC 3279](#).



CLASSIFIED ADS



OFFICE SPACE

Located in the Heart of New City, this spacious office is available for rent on December 1, 2019. Rent \$650.00. Includes copy machine and available conference area for meetings. Please contact Attorney Arnold Blatt at 845-638-0660.

OFFICE SPACE

Negotiable price. Please call Gary Lipton at 845-624-0100

OFFICE SPACE

Office in shared service building- North Main Street, New City. Westlaw included. Call Lynn at 638-4718.

OFFICE SPACE

Office space available in New City. One or two offices and reception area available. Bright open area plan with conference room. Congenial working environment. Please call 845-639-2411 or email robert@magrinolaw.com.

OFFICE SPACE

Office within law office suite for rent at 10 Esquire Road, New City. Includes use of free Wifi, conference room, restroom and waiting area. One level building and ample parking. Available September 1, 2019. No security or fee required. Call Dave at 638-2889

OFFICE FURNITURE FOR SALE

Priced to sell. Vertical and lateral file cabinets, storage units, desks, chairs, conference table, book cases, credenza, tables, dividers, bulletin boards, white board. Please call Madelon at 914-527-2400 for information. Items are located in New City.

OFFICE SPACE

Office for rent - 254 South Main Street, New City - Furnished office in existing practice - complete with filing space and use of conference room. \$750.00 per month. Possible over flow work. Contact opportunityunique2019@gmail.com

OFFICE SPACE

Office Space available in Bardonia. 2 Units - \$850 & \$950/month. All utilities included, turn key office space, parking, located on 304, shredding and coffee included, conference rooms, furnished for the right terms and basement storage available. Please call Jason Horowitz at 845-323-9177.

OFFICE SPACE FOR RENT

Haverstraw - one, two or three offices available. Waiting room, receptionist area, large parking lot, large conference room, with or without furniture. Possible overflow. email: lawoffice10927@gmail.com

PART-TIME OFFICE - NEW CITY

Office in New City available to use on your letterhead, accept packages, meet with clients, hold conferences, send faxes, accept mail, meetings at day or night, receptionist, waiting area for clients, very ample free parking, private bathroom. Perfect for practitioner with home office who needs a public presence. Low monthly fee. Call Bill at 845-300-9168.

ATTORNEY NEEDED

o gradually take over (1 year) a solo law practice in West Nyack, NY (Wills, Trusts, Family Law, Divorce, Real Estate) Please call 845-358-1069 or email vvitalelaw@gmail.com

ATTORNEY WANTED

I am looking for a full time plaintiff personal injury attorney with at least 2 years of experience in the field of personal injury law (plaintiff or defense). Please have them contact me at 845-638-3012 or mncimark@neimarklaw.com.

PARALEGAL WANTED

Paralegal for plaintiff's personal injury law firm. Experienced all phases of litigation from intake through discovery and trial preparation. Bilingual a plus. Computer Savvy with good interpersonal skills. Send resume to lawyers@pilaw.com.

ENTRY LEVEL ASSOCIATE WANTED

A solo criminal, commercial and personal law office is looking to hire a part or a full-time entry or newly established associate. The salary and hours are negotiable. Please forward resume to lauren@garyliptonlaw.com or fax to 845-624-0288.

ATTORNEY WANTED

New City, NY Law Office seeks attorney with interest in a career with a law firm practicing in the areas of Personal Injury, Malpractice, and Nursing Home Neglect. No experience necessary. Salary and Benefits to be discussed. Call 845.598.8253. E-mail: vcrownlaw@aol.com. Applicants can learn more about the Law Firm of Valerie J. Crown by visiting our website: valericrown.com

TRIAL ATTORNEY WANTED

Finkelstein & Partners is seeking to hire a TRIAL ATTORNEY to cover Orange, Rockland and Westchester County personal injury cases. Candidates must be licensed to practice in New York and have 3 to 5 years of litigation experience. To be considered please your email resume to: tcavallucci@lawampm.com

LEGAL ASSISTANT PART-TIME

Legal/administrative assistant for small law firm in New City. This is a part-time entry level position suitable for someone interested in gaining practicable and invaluable job experience in the legal area. Good computer skills, detailed oriented, knowledge of basic office procedures and Internet savvy candidate preferred. Students are encouraged to apply. Please fax resume to (845) 517-0671.

ASSOCIATE ATTORNEY NEEDED

3-5 years litigation experience for busy Rockland County firm. Please forward resume to phabas@barpc.com or fax to 845-359-5577

ATTORNEYS SEEKING PARALEGALS

Rockland Community College ABA approved Paralegal program can assist attorneys with filling their open job positions for both part and full time employment opportunities. We have students that range from entry level to experienced Paralegals. Paralegals are not permitted to practice law, which means they cannot give legal advice, represent clients in court, set a legal fee or accept a case. Contact Amy Hurwitz-Placement Coordinator at (845) 574-4418 or email at ahurwitz@sunyrocland.edu

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