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ROCKLAND COUNTY BAR ASSOCIATION

NEWSBRIEF

www.rocklandbar.org



April 2023

President's Post

What is essentialist philosophy? Can it benefit lawyers? I read an interesting review of Greg McKeown's book, "Essentialism: The Disciplined Pursuit of Less". It addresses the traps into which we can easily fall as we practice law. Many have experienced feeling overwhelmed and overworked with another deadline to meet, another brief to draft, and another client to meet. McKeown's premise is to prioritize essential activities and strive to eliminate everything else. He believes this philosophy has significant implications for lawyers. We can agree that at times our professional and personal lives merge and often blur together. Why not strive to identify our top priorities? Why not endeavor to set clear boundaries? Why not consider not being accessible to our clients 24/7 but instead delineate specific time frames for work and personal pursuits?

Most would agree, as does this author, that it is paramount to prioritize health and well-being. Let's strive to cultivate healthy habits. Why not embrace regular exercise, mindfulness and healthy eating? Why not strive to delegate and outsource tasks? We simply cannot do it all by ourselves! However, if you've been practicing for any length of time, you know that many of our colleagues attempt to handle everything themselves. Too often this results in burnout that in turn negatively reduces efficiency and effectiveness. Let's think about delegating tasks to colleagues and paralegals. Think about outsourcing certain tasks to free up your time and energy so that you are able to focus on those aspects of your practice that are truly essential.

Indeed, essentialism is all about an optimal work-life balance. It embraces prioritizing essential activities and understanding that health and well-being are critical and that we should consider delegating non-essential tasks. This will free us up to fulfill our endeavors, both at work and at home. The goal is to achieve greater fulfillment. The paradigm of essential living embraces a path of life that strives to be more meaningful and satisfying.

Did you know that Supreme Court Justice James Hyer spearheads the 9th Judicial District Access to Justice Initiative? This is its mission:

"to ensure access to justice in all NY State Courts for people of all backgrounds, incomes and abilities by using every resource, including pro bono programs, self-help services, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs."

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The Access to Justice Committee has the following subcommittees which are working diligently to make the court system within counties of our district accessible to all users: Education and Outreach, Alternative Dispute Resolution, Court User Guide, Immigrants' Rights, LBGTQ+, Guardian Ad Litem, Landlord/Tenant Proceedings, Hasidic & Orthodox Outreach and Pro Bono.

I recently participated as a member of the Committee in a meeting where we discussed the goal of the RCBA providing pro bono services to those not able to be assisted by our Legal Aid Society. We are only in the beginning of a discussion to implement voluntary pro bono representation by our members. This is a worthy objective. Derek Tarson, Esq. of the Legal Aid Society will be joining with me and other members of the Access to Justice – Pro Bono Subcommittee to discuss a mechanism to fulfill the vital need of pro bono representation. I hope that many of my colleagues would be open to contributing to this worthy endeavor after it is implemented. As of now, we are in the planning stages. Any suggestions would be most appreciated. If you are interested in learning more information about the 9th Judicial District Access to Justice Committee, or would like to volunteer as a member on any of its subcommittees, please email: 9jdaccessjustice@nycourts.gov or contact Justice Hyer's chambers at 914-824-5427.

Allow me to comment about something that concerns me, especially on the eve of Yom HaShoah 2023, Holocaust Remembrance Day, taking place at the Rockland County Courthouse, the Juror's Room on Monday, April 17, 2023 from 2-3pm. The event is brought to you by the Justice Brandeis Law Society 9th Judicial District. We are pleased to have as our guest speaker, the Hon. Anne E. Minihan, our Administrative Judge. Remembrance Day has always been a meaningful experience.

Regretfully, the Anti-Defamation League has issued a new report which unfortunately reveals that anti-Semitic incidents have increased 36% in 2022. This is the highest level reported since 1979. The FBI and human rights groups have warned about the growing number of hate crimes in the U.S. These are alarming findings. Assaults increased by 26%. Incidents of harassment increased by 29% and acts of vandalism rose by 52%. Antisemitism is a clear and present danger right here, right now in America. 2022 was the highest year we have seen for Jew hating acts since the ADL has kept records for almost 45 years. Sadly, this was the third time in the past four years that we broke a new record of hate. The number of anti-Semitic incidents climbed 500% over the past decade. I for one am repulsed to hear anti-Semitic tropes and inferences in our political discourse. We now live in a world where conspiracy theories take sway. Antisemitism is one of the oldest conspiracy theories. Today, extremists feel empowered and emboldened.

Let's show our collective outrage from perpetuating hatred, antisemitism, homophobia, sexism and racism. They are different demons gestating in the same ilk. Come out in support of Holocaust Remembrance Day in the memory of the six million martyrs, Jews and gentiles alike, gypsies and the disabled who perished at the hands of a genocidal Nazi regime.

In a recent President's Post, I opined on the benefits of Restorative Mediation. This is a form of alternative dispute resolution which derives from the criminal realm. Recently, I participated in my first restorative mediation proceeding before the Hon. Debra Martin, Acting Supreme Court Judge, sitting in Rochester. It may have very well achieved a successful outcome. Justice Martin and other panel members will be participating with Justice Hyer in a CLE on restorative mediation scheduled for May 24, 2023. It will provide a new prospective on this unique mediation process.

Finally, the LBGTQ+ Subcommittee of the 9th Judicial District's Access to Justice Committee is hosting a 9th Judicial District wide Pride Month. There will be an awards ceremony on June 12, 2023 from 12:30pm to 2:00pm in the Rockland County Courthouse within the 2nd Floor Jury Department. Our Acting Chief Judge of the Court of Appeals, the Hon. Anthony Cannataro, will be joining us. This is the first event of its kind in the 9th and Justice Cannataro will be one of the honorees. A light lunch will follow the ceremony. All are welcome to attend. Additional details and other honorees will be announced in the

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coming weeks. Whoever has an interest in volunteering on the planning committee is welcome to contact Judge David Fried at david@dfjustice.com who has been instrumental in spearheading this event and arranging for our Acting Chief Judge to join us.

This is the RCBA's 130th Anniversary of its founding in the St. George Hotel in Nyack. We will be memorializing this landmark event through a composite photo. All of our members who are photographed will be part of the commemorative photograph, worthy of framing in your reception or conference room. Composites circulate every 10 years so don't miss out. Photos will be taken the weeks of April 17th and April 25th. Participation is at no cost to our Members. Sign-up now [here](#).

Happy Easter and Passover to those of us who have celebrated and perhaps are now imbued with a greater sense of spirituality and meaning.

Sincerely,

Robert (Rob) L. Fellows, Esq.— President

March 31, 2023

PUBLIC NOTICE FOR
RE-APPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current term of the office of United States Magistrate Judge Barbara C. Moses is due to expire on December 22, 2023. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of a magistrate judge to a new eight-year term.

The duties of a magistrate judge position include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; and (4) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent Magistrate Judge Barbara C. Moses should be recommended by the panel for reappointment by the court, and should be directed to:

Edward Friedland
District Executive
500 Pearl Street, Room 820
New York, NY 10007-1312

**NOTICE OF CANDIDATES
FOR THE 2023/24 BOARD OF DIRECTORS
FOR THE ROCKLAND COUNTY BAR ASSOCIATION**
Pursuant to Article V, Section 9 of the By-Laws of the Rockland County Bar Association, the following are the candidates for the Board:

**Steven H. Beldock
Gary L. Casella
David Castagna
Richard A. Glickel
Amy M. Mara
Andrea D. Panjwani
Hon. William Warren**

SHORT BIOS OF CANDIDATES ARE LISTED BELOW

STEVEN H. BELDOCK

I am presently a member of the law firm of Beldock & Saunders, PC. founded in New City, NY on November 1, 2002. Our practice represents seriously injured individuals and the families of those who have died from accidents, malpractice and nursing home neglect.

I have been an active member of the Rockland County Bar Association since 1996. I am presently an active member of both the ethics committee, personal injury (and compensation law) committee. I have also lectured for the Rockland Bar Association on a number of occasions.

I have attended most RCBA events since I joined in 1996. I believe I would be an asset to the board of the RCBA because I care about the RCBA, I have experience being a member of a board of directors for many years and I am willing to work to help the board in any way that I am needed.

GARY L. CASELLA

Gary L. Casella served as Chief Attorney to the Grievance Committee for the Ninth Judicial District. He was also an Adjunct Professor at Pace University School of Law where he taught courses in Professional Responsibility and Advanced Issues in Professional Responsibility.

Mr. Casella has been a frequent lecturer at CLE Programs and has published articles as well on legal ethics. Mr. Casella served as President of the White Plains Bar Association and is a past president of the New York State Association of Disciplinary Attorneys. He served as a Director of the Columbian Lawyers of Westchester County.

Mr. Casella is the recipient of the 2006 Joseph F. Gagliardi Award for Excellence in the Unified Court System of the Ninth Judicial District. He is a graduate of the New York Institute of Technology (where he served as a former President of the Alumni Association) and the St. John's University School of Law.

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DAVID CASTAGNA

Thank you for this opportunity to set forth a brief Bio in connection with my interest in serving of the RCBA Board.

I have been a member of the RCBA Judicial Screening Committee for the past four years. Over the course of my 34– year legal career, I have served as a Rockland Assistant District Attorney for 5 years and as an Assistant Public Defender for the past 28 years, having served in a Supervisory capacity for the past 17 years. I also served for several years as a member of the Orangetown Zoning Board of Appeals.

Early in my career, I was associated with a local personal injury firm for several years and I have managed my own law practice for 25 years.

Furthermore, I currently serve as a Member of the Board of Directors of Venture Together through which we work towards improving the lives of the developmentally disabled in our community.

RICHARD A. GLICKEL

Richard Glickel is a current member of the Association’s Board of Directors and serves on the Board’s personnel sub-committee. Admitted to practice in 1975, Richard is a Life Member of the RCBA. He is a member of the Grievance and Judiciary-Bar Liaison Committees and is Chair of the By-Laws Committee. From 1984 through 1990, Rick co-chaired the RCBA’s Annual Golf & Tennis Outing, while also serving as Crusade Chair for the American Cancer Society.

Since 1989 Richard has Chaired or Co-Chaired RCBA’s Committee on Professional Ethics (2019 Committee Chair of the Year); he responds to members’ questions concerning ethics and professionalism and presents CLE’s for the Association on the Rules of Professional Conduct.

In 2018, Richard received the Rockland County Bar Association’s Lifetime Achievement Award.

Richard currently serves on NYSBA’s Committee on Procedures for Judicial Discipline and its Committee on Animals and the Law (Vice-Chair, COAL Annual Law Student Writing Competition).

AMY M. MARA

Amy M. Mara is a principal of Catina & Mara, PLLC. The entirety of Ms. Mara’s legal career has been principally located in Rockland County, where she has been a litigator of general civil, commercial, and contract law, acts as general counsel for strategic planning and transactions for small– to mid-sized business entities, and represents clients in real estate transactions.

Ms. Mara has been an active member of the Rockland County Bar Association. She is a current member of the Board of Directors, co-chair of the Lawyer-to Lawyer Committee, and co-chair of the Mock Trial Committee.

In 2002, Ms. Mara was nominated by her peers and received the Richard Sterns Award given to a member of the Bar Association who has made significant contributions to the Bar Association and the people of Rockland County. Ms. Mara is eager to continue serving the Bar Association if elected to her second 3-year term.

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ANDREA D. PANJWANI

Andrea Panjwani is the Chief Legal Officer at the Center for Safety and Change where she oversees a gender-based violence legal practice and serves as general counsel. Andrea was previously legal director at African Services, co-executive director at Immigrant Defense Project and managing attorney at My Sister's Place. Andrea did civil rights litigation at Legal Services of Greater Miami and was a clinical instructor at Brooklyn Law School.

Andrea is committed to the community and presently co-chairs the Rockland Immigration Coalition, Justice for Families Collaborative and Anti-Trafficking Task Force and sits on the steering committee of the Hub Court and the NYS Advisory Council of Immigration Issues in Family Court

Andrea has co-authored judicial advisories, T Visa Manual, journal articles and amicus briefs, and provided legislative testimony. Andrea is a regular CLE trainer and a recipient of the Equal Justice, Louis J. Lefkowitz Public Service and Above and Beyond awards.

HON. WILLIAM WARREN

Last year when the RCBA made me their Lifetime Achievement recipient I decided that I needed to show my continuing support for the Association by asking to serve on the Board of Directors. My involvement with the Association began in the late 1970s when I first came to practice in Rockland.

In 1996 I was awarded the Liberty Bell Award by the Association and in 2004 I was its honoree at the annual dinner. In all of my legal positions, as an assistant county attorney, in private practice and as a Family Court Judge for 27 years I have always maintained a strong connection to the Rockland Bar Association.

Since retiring from the bench in 2015 I have continued my affiliation with the Bar and other non profits. These include the Boards of Rockland Homes for Heroes, New City Rotary, Legal Aid Society, and the Rockland YMCA. It would be my honor and privilege to give back to the Rockland Bar by serving as a member of the Board.



**Rockland County
Bar Association**

337 North Main Street, Suite 1; New City, NY 10956; rocklandbar.org

Celebrating 130 years of service to our Members and our community.

RCBA MEMBERS' 2023 COMPOSITE GROUP PHOTO

**All current RCBA Members are invited to participate!
Get your photo taken and be in the Historical
130th Anniversary Group Photo!**

**Photos will be taken at Clarkstown Town Hall during the weeks
of April 17 and 25.**

**Photos will be taken in 10-minute intervals. You must schedule
your photo appointment in advance!**

Schedule your photo appointment now!

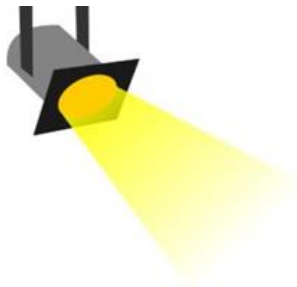
*Copies of the RCBA composite photo, digital copies and individual
prints of your photo will also be available for purchase.*

~

**CLICK [HERE](#) TO SCHEDULE YOUR
PHOTO SESSION**

**The Committee on Diversity,
Equity & Inclusion presents...**

SPOTLIGHT



This month, the DEI Committee shines its spotlight on committee member Doralba Lassalle, Esq.!

Where did you grow up and what is your current hometown?

I grew up in The Bronx – on the Grand Concourse, not far from Yankee Stadium – where I completed the formative years of my education. I later moved to the Throgs Neck section of The Bronx after law school. I now live in Yorktown, in northern Westchester.

Where did you go to college and law school?

I graduated from Boston University with a Bachelor of Science degree in Communication, with a minor in Spanish Literature. After graduation, I stayed at BU and completed the School of Law's dual J.D./M.S. in Mass Communication program.



Did you always want to be a lawyer?

In the back of my mind, I always did want to be a lawyer, but I did not expect it to be as early in my life as it actually occurred. Anyone that knew me as a child can certainly tell you that I never shied away from arguing. However, I thought it would be something I'd pursue some time after college. The opportunity presented itself that I could attend a fantastic program at Boston University immediately after my undergraduate graduation, so I took it.

What has been your career path?

After law school, I participated in OCA's Legal Fellows program as a law secretary/court attorney for one year in the New York County Civil Court. While there, I was assigned to the Honorable Justice Fern Fischer, then the Administrative Judge of the New York City Civil Court, and worked on matters pertaining to the citywide administration of the Civil Court. I was also assigned to work with Justice Saliann Scarpulla, who now sits in the Appellate Division, First Department, assisting with a regular Part's conference and motion calendars.

After completing the Legal Fellows program, I worked for Heidell, Pittoni, Murphy & Bach, a mid-size medical malpractice defense firm in Manhattan, for eight years. While there, I worked on their Good Samaritan Hospital defense team, as well as other hospital/carrier teams, which was my introduction to Rockland County

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in 2004. I continued to work on their Good Samaritan cases throughout my tenure there until my departure. Thereafter, together with partners, we opened Morelli, Gerrard & Lassalle, LLP, which later became Morelli & Lassalle, LLP, both women and minority-owned defense firms, where we continued to represent Good Samaritan and other medical providers, and opened a Rockland office on South Main Street in New City (2016-2019).

I now operate my own practice, Lassalle Law, PLLC, which is located in White Plains, but my practice encompasses Rockland, Westchester, Orange, and Bronx counties. My practice areas are now comprised of plaintiff's medical malpractice and personal injury, and family/matrimonial law matters.

What is your favorite thing about Rockland County?

My favorite thing about Rockland County is definitely the close-knit legal community. You see the same attorneys day-to-day at the courthouse and you become familiar with each other, not just professionally, but personally as well.

Would you like to share anything about your personal life?

I am married to a retired NYPD sergeant and we have five-year-old twin girls and five dogs. I also volunteer with animal rescues to rehab and foster dogs, many of which are special needs fosters.

Who is your inspiration/hero?

My mother, Rosalba, is my hero. She emigrated from Colombia to the United States without her family when she was thirty-one years old. My mother settled in The Bronx, where she met and married my father, who was from Puerto Rico, and they had three children. My father has since passed away, but my mother worked as a seamstress her entire career. Despite her limited means in terms of education and profession, all three of her children went to private colleges and obtained advanced degrees. I feel a personal sense of obligation in that everything I do in my life has to measure up to her sacrifice. My mother is very principled and steadfast in her convictions. She leads by example and I would be happy to be half the person that she is.

What good advice have you received?

The best advice I have received is not to compromise one's sense of self – to have the courage of your convictions. Maya Angelou's quote "When someone shows you who they are, believe them the first time" also resonates with me.

What is your favorite TV or streaming show or book?

I hate to admit it, but I love watching Ghost Adventures on the Travel Channel or any similar paranormal-type show. It is literally just mindless TV (they rarely catch anything), but I'm hooked on it! I also really enjoy watching Shark Tank.

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What do you like to do in your spare time?

With five dogs and two 5-year-olds, I don't often have much free time, but I enjoy travelling and going to new restaurants and sharing that with my girls. Exercising and working out is also very important to me, so I try to do a Cross-Fit-type of workout at least several times a week.

Is there anything we didn't cover that you would like the bar association to know about you?

I am the President-Elect of the Hudson Valley Hispanic Bar Association (HVHBA) and have been on its Executive Committee for the past two years. My term as President begins in July. The HVHBA is the first and only Hispanic bar association for Hispanic lawyers, judges, and professionals in the Hudson Valley (3rd and 9th Judicial Districts). I look forward to working with the RCBA in offering professional and personal assistance for our respective members and the Rockland community at large.

RCBA MEMBERSHIP DRIVE

ATTENTION NEW MEMBERS

GET 15 MONTHS OF MEMBERSHIP FOR THE PRICE OF 12!

**START YOUR RCBA MEMBERSHIP NOW AND HAVE
APRIL, MAY, AND JUNE 2023 INCLUDED WITH YOUR
2023-24 MEMBERSHIP (JULY 1, 2023– JUNE 30, 2024).**

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RCBA WEBSITE (ROCKLANDBAR.ORG)**

**JOIN TODAY AND START ENJOYING THE BENEFITS OF RCBA
MEMBERSHIP**

****CLE's* Lawyer Referral Service * Practitioners Chats*
Monthly E-Newsletter* Rockland Bar CARES****

Current Members: Tell Your Friends!

This notice was received by our Office and we thought it would be of interest to you.

I am writing to provide information about a lunchtime lecture series during June 2023 which may be of interest to members of your bar association.

The Commercial Division Advisory Council has organized a lunchtime lecture series during June 2023 for summer interns working with Commercial Division Justices and summer associates at law firms. The series will be presented virtually on Zoom to Commercial Division summer interns and to summer associates throughout the United States. The goal of the series is to educate our future lawyers about the Commercial Division and commercial practice, the wide variety of cases that come before the Commercial Division, and the value of clerking, interning, and litigating in the Commercial Division. The speakers at each program will include a Commercial Division Justice and some of the best-known and most-respected commercial litigators in the United States. Each of these programs will last approximately one hour and will be scheduled between 1:00 and 2:00 p.m.

The topics and speakers are:

<u>Date</u>	<u>Topic</u>	<u>Speakers</u>
June 8, 2023	Motion Practice	Hon. Andrew Borrok, Robert J. Giuffra Jr.
June 13, 2023	Depositions	Hon. Margaret A. Chan, Sandra C. Goldstein
June 20, 2023	Written and Electronic Discovery	Hon. Melissa A. Crane, Lynn K. Neuner, Linton Mann III, Rachel Sparks Bradley
June 27, 2023	Trials	Hon. Robert R. Reed, Loretta E. Lynch, Daniel J. Toal

If your bar association would like to invite its members to attend this lecture series, your association should RSVP via e-mail to ggrissett@kelleydrye.com. We plan to accept RSVPs from bar associations, not from individual members, and to provide a Zoom link to one e-mail address designated by each bar association to enable viewing of the programs by its members as a group at the bar association's office. If you have any questions, please let me or Roger Maldonado (rmaldonado@sgrlaw.com) know.

The Commercial Division Advisory Council presented a similar lecture series during June 2022. The lecture series in 2022 was limited to law firms in New York State. Because of the success of the 2022 lecture series, this year's series is being offered nationwide.

Best regards,

Bob

ROBERT HAIG

Partner

Kelley Drye & Warren LLP

3 World Trade Center

175 Greenwich Street

New York, NY 10007

OUR PROFESSIONAL ETHICS

Richard A. Glickel, Esq.

Must a lawyer who discovers discrepancies in a colleague's IOLA trust account report that colleague's misconduct to a court or disciplinary committee?

A Self-Regulated Profession; Rule 8.3.

Lawyers may, albeit rarely, experience the uncomfortable circumstance of witnessing another lawyer's violation of the Rules of Professional Conduct. Rule 8.3, Reporting Professional Misconduct, directs that:

(a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that (other) lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation.

Comment [1] to Rule 8.3, states that "[s]elf-regulation of the legal profession requires that members of the profession initiate disciplinary investigation when they know of a violation of the Rules of Professional Conduct."

Where There's Smoke, There's Fire?

Comment [1] continues, "[a]n apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover. Reporting a violation is especially important where the victim is unlikely to discover the offense."

The comment bears particular relevance to the misappropriation of funds entrusted to a lawyer-fiduciary as evidenced by the lawyer's failure to maintain a balance in his or her escrow account correctly corresponding with the amounts entrusted to lawyer, a clear violation of Rule 1.15 (a), viz., the prohibition against commingling and misappropriation of client funds. Most often, the "victim-clients" who receive their money when due will be completely unaware of the attorney's prohibited financial machinations. Two recently reported disciplinary suspensions, Matter of Pacifico and Matter of Scheurer (1), focused specifically on professional (fiduciary) misconduct. In both prosecutions, after investigation, the respondents' escrow account balances were found to be below the amounts respondents were required to maintain on numerous occasions; ending in each lawyer's suspension from practice for 3 and 5 years, respectively.

(1) See __AD3d__, 2023 WL 2147229 (2d Dept.2023); __AD3d__, 2023 WL 2396129 (2d Dept.2023).

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A Judgment Call

The failure to report a violation of the Rules does not necessarily constitute a professional offense in and of itself. Lawyers aren't obligated to report *every* violation of the Rules of Professional Conduct. And not all attorney misconduct calls into question a lawyer's "honesty, trustworthiness or fitness" to practice law. Rule 8.3 (a) limits the reporting obligation to those offenses that lawyers must "vigorously endeavor to prevent." Clearly a measure of judgment is required in complying with Rule 8.3. Comment [3] to the Rule notes that "the term 'substantial' refers to the seriousness of the possible offense and not the quantum of evidence of which the [reporting] lawyer is aware."

Attorney-Client Privilege and Lawyer Assistance Programs

The duty to report professional misconduct does not apply to a lawyer retained to represent a lawyer whose professional conduct is in question. In such instances attorney-client confidentiality prevails. Thus Rule 8.3 "does not require disclosure of information otherwise protected by Rule 1.6."

In an effort to encourage lawyers and judges in need of assistance and treatment to seek such assistance, information of misconduct received through participation in a *bona fide* lawyer assistance program is excluded from the reporting requirements of Rule 8.3 (a) & (b).

So, Answer the Question Already

The Grievance Committee for the Ninth Judicial District instructs complainants that "making a complaint against an attorney is a very serious matter." That same advice applies to a lawyer's reporting another lawyer's professional misconduct; it is – to be sure – a *very* serious matter.

Although a modicum of discretion is always advisable, given the self-regulation requirements of the legal profession as set forth in Rule 8.3 – and the seriousness of the apparent violation – a lawyer who discovers discrepancies in a colleague's IOLA trust account *is* obligated to report the misconduct.

Respectfully submitted,

Richard A. Glickel, *Chair*

RCBA members may request an informal opinion on issues of ethical concern from the Association's Committee on Professional Ethics by addressing their written question(s) to: rglickel@glickelaw.com.



Technology Tips for Attorneys **submitted by Michael Loewenberg***



Technology plays an important role in running a successful legal practice. With the right tools and techniques, you can streamline your workflow, increase efficiency, and improve your client experience. Here are two good, easy-to-implement technology tips that can help you take your practice to the next level.

Use cloud-based software for case management

Gone are the days when you had to rely on paper files and bulky folders to manage your cases. With cloud-based case management software, you can access all your case information from anywhere, at any time, on any device. This means that you can stay up-to-date on your cases even when you're out of the office or on the go.

Cloud-based software also offers a number of other benefits:

- Improved collaboration: With all your case information in one place, it's easy to share documents and communicate with your associates, whether they're in the same office or in a different location.
- Enhanced security: Cloud-based software providers have robust security measures in place to protect your data from hackers and cyber threats. This can give you peace of mind knowing that your sensitive client information is safe.
- Reduced costs: With cloud-based software, you don't need to invest in expensive hardware or software licenses. Instead, you pay a monthly or yearly subscription fee that is typically more affordable than traditional software licenses and maintenance.

There are many cloud-based case management software options available, such as Clio, MyCase, and PracticePanther. Take some time to research and find one that meets your specific needs and budget.

Use e-signature software for document signing

Not too long ago, we had to print out documents, sign them, scan them, and then email them back to clients. With e-signature software, you can sign documents electronically, making the process faster, more efficient, and more environmentally friendly. E-signature software can positively impact your practice in these ways:

- Improved client experience: With e-signature software, your clients can sign documents from anywhere, at any time, without having to come into your office. This can make the process more convenient and less time-consuming for them.
- Faster turnaround times: With e-signature software, you can get documents signed and returned in a matter of minutes, rather than days or weeks.

Enhanced security: E-signature software providers have robust security measures in place to protect your

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documents from tampering or fraud. This ensures that your signed documents are authentic and legally binding.

There are many e-signature software options available, such as DocuSign, HelloSign, and Adobe Sign. Again, take some time to research and find one that meets your specific needs and budget.


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



Request for assistance from the community

Did you prepare a will for Linda M. Lenz?

Linda passed on 2/25/23, she was a 49+ year member of Congers Valley Cottage Volunteer Ambulance Corps. If you prepared her will or know her next of kin, please contact Nicholas Rusiecki 845-641-3305



SPREAD THE WORD

ADVERTISE WITH THE
ROCKLAND COUNTY BAR
ASSOCIATION
HELP CELEBRATE OUR 130TH
ANNIVERSARY!

CHECK OUT THE
VARIOUS OPTIONS TO
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WEBPAGE RATES START
AT \$500 PER
MONTH

AT AN EVENT RATES START
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Helpful Links

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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 or her 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 Nancy@rocklandbar.org

COMMERCIAL LITIGATION ISSUES OF INTEREST

Submitted by Joseph Churgin, Esq. and Susan Cooper, Esq.*

Your client was served with an action to foreclose a residential mortgage. A judgment of foreclosure of the same residential mortgage was previously entered nine years earlier upon your client's failure to appear. However, the judgment of foreclosure was later vacated on motion by the mortgagee's predecessor who sought to enter a corrected judgment, which then was never entered. You appeared for your client in the new foreclosure action, asserted a statute of limitations defense, and moved under CPLR 1501(4) to have the stale mortgage extinguished of record. The bank cross-moved to consolidate the two actions arguing that the consolidated action would be timely, since the first action was timely. The court granted the cross-motion and denied your motion as moot. You appealed.

Will you prevail on appeal?

The answer is *yes*.

In *HSBC Bank USA NA v. Francis*, NYLJ 1677521934NY202003967, Case No. 2020-03967, 2d Dep't, February 22, 2023, the Court examined "as a matter of apparent first impression" whether consolidation is proper where one of the actions sought to be consolidated has an apparently meritorious motion to dismiss pending.

Francis, the defendant mortgagor, appealed an order that consolidated a 2017 foreclosure action with a 2008 foreclosure action on the same residential mortgage, and denied as academic the mortgagor's motion to dismiss the 2017 action as untimely. A judgment of foreclosure was entered in the 2008 action, but was vacated on the bank's predecessor's motion to vacate and enter a corrected judgment. The corrected judgment was never entered, and the 2008 action was not dismissed or discontinued.

On appeal of the order of consolidation and denial of the motion to dismiss the 2017 action, the Court examined CPLR 602(a), which authorizes a court to order consolidation or a joint trial of actions and proceedings. The Court noted that consolidation has been described as a "merging" (citing *Matter of Asso*

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ciated Blind Hous. Dev. Corp. v. State of N.Y. Dept. of Pub. Serv., 142 A.D.2d 825), or “fusing” (citing *Kelley v. Galina-Bouquet, Inc.*, 155 A.D.2d 96), resulting in one caption, one verdict or decision, and one judgment with one bill of costs (citing *Matter of Consolidated Edison Co. of N.Y., Inc.*, 176 A.D.3d 1433). Joinder, on the other hand, continues the separateness of each of the actions, allowing for joint proceedings, but separate verdicts and judgments (citing *Calle v. 2118 Flatbush Ave. Realty, LLC*, 209 A.D.3d 961). A motion for consolidation or joinder should be granted where common questions of fact or law exist, absent a showing of prejudice to a substantial right by the opposing party (citing *Disa Realty, Inc. v. Rao*, 198 A.D.3d 869).

The Court ruled that consolidation was “inapt” in this case, holding that the plaintiff did not meet its burden to raise a question of fact as to whether the statute of limitations was inapplicable. The purpose of consolidation, according to the Court, “is not to provide a party with a procedural end run around the legal defense applicable to one of the actions.” The consolidation was, therefore, “an improvident exercise of discretion.”

The Court ruled, “We hold, as an issue of apparent first impression that * * * in general, consolidation should be denied where one of the cases to be consolidated is subject to a meritorious motion to dismiss.”

The lesson? An untimely action brought after the statute of limitations has expired cannot be saved from dismissal by moving to consolidate it with an earlier timely action.

*By Joseph Churgin, Esq. and Susan Cooper, Esq. of
SAVAD CHURGIN, LLP, Attorneys at Law



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ABOUT US

Justice Robert M. Berliner recently retired as the Senior Resident Supreme Court Justice in Rockland County.

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THE PRACTICE PAGE

LET'S PLAY *JEOPARDY!* – ORDINARY NEGLIGENCE OR MEDICAL MALPRACTICE?

Hon. Mark C. Dillon *

Typically, an ordinary negligence action will have nothing to do with medical malpractice, while other actions involving hospital and physician treatments clearly implicate medical malpractice. Sometimes, the line between negligence and medical malpractice is a close call. Correctly classifying cases as either ordinary negligence or medical malpractice can affect case outcomes. The differences involve the applicable statute of limitations, the requirements of CPLR 3012-a, and the standard and proof for liability.

The crucial difference between ordinary negligence and medical practice is the duty that the defendant has allegedly breached to the plaintiff -- and whether that duty involves common every day experiences versus matters of medical science requiring special skills (*Jeter v New York Presbyt. Hosp.*, 172 AD3d 1338). Actions for medical malpractice can be asserted against *non-physicians*, so long as acts or omissions involve specialized medical, dental, or podiatric direction, knowledge, or skills (*Rabinovich v Maimonides Medical Center*, 179 AD3d 198). The limitations period for negligence is three years but only 2.5 years for medical, dental, and podiatric malpractice (*compare* CPLR 214[5] *with* 214-a), so that assessing the true nature of the cause of action is necessary for its commencement in a timely fashion.

So let's play *Jeopardy!* There will be answers followed by the questions. The game category is "Ordinary Negligence Or Medical Malpractice."

Answer: Medical Malpractice. **Question:** Psychiatrists? Psychiatrists are M.D.s with the right to prescribe medications ([*Karasek v La Joie*, 92 NY2d 171](#)).

Answer: Ordinary Negligence. **Question:** Psychologists? Psychologists are not M.D.s and not "medical" (*Karasek v La Joie, supra*).

Answer: Medical Malpractice. **Question:** Chiropractors? If they treat medical conditions of the body akin to a doctor or if the service bears a substantial relationship to the rendition of medical treatment by a licensed physician (*Foote v Picinich*, 118 AD2d 156).

Answer: Ordinary Negligence. **Question:** Veterinarians? Medical malpractice requires treatment of the *human* body, whereas animals are legally deemed to be personal property (*Ratusch v Attas*, 3 Misc.3d 763).

Answer: Medical/Dental Malpractice. **Question:** Orthodontists? Sufficiently akin to dentistry (*Cresson v NYU College of Dentistry*, 45 AD3d 352).

Answer: Medical Malpractice. **Question:** EMTs? For acts or omissions while performing trained medic services (*Lynch v Town of Greenburgh*, 61 Misc.3d 459), though not for non-medical acts such as the careless driving of an ambulance.

DOUBLE JEOPARDY

Answer: -----Medical Malpractice. **Question:** X-Ray Technicians? (*Lang-Salgado v Mount Sinai Med. Ctr., Inc.*, 157 AD3d 532) (fall from a stretcher caused by a violation of hospital protocol found to be medical-related).

Answer: Ordinary Negligence. **Question:** Laboratories? For acts or omissions that are outside of medical services or which are merely scientific (*Playford v Phelps Memorial Hosp. Center*, 254 AD2d 471).

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Answer: Medical Malpractice. **Question:** Other Laboratories? If the lab relies on the services of a physician such as a radiologist misreading a diagnostic film (*Culhane v Schorr*, 259 AD2d 511).

Answer: Medical Malpractice. **Question:** Nurses? For acts or omissions while rendering medical-related services (*Beliler v Bodnar*, 65 NY2d 65)(failure to take proper medical history).

Answer: Ordinary Negligence. **Question:** Other Nurses? Acts or omissions outside of medical services, such as the negligent placement of a wheelchair footplate not involving medical judgment (*Cochran v Cayuga Medical Center*, 90 AD3d 1227).

FINAL JEOPARDY:

Answer: Medical Malpractice. **Question:** Obstetrician Who Tosses the Newborn to a Nurse Moments After Delivery Where the Baby is Then Dropped On the Floor? At the time of the “toss,” the conduct was still within the scope of the doctor-patient relationship as to be deemed medical malpractice, even though the baby had fully exited the birth canal by the time of the incident (*Rojas v Tandon*, 208 AD3d 702).

Additionally, if an action sounds in medical malpractice, counsel is required under CPLR 3012-a to execute a certificate of merit. The attorney must certify a review the facts of the case and consult with at least one licensed physician, dentist, or podiatrist knowledgeable about the relevant issues, and as a result conclude that the action has a reasonable basis. The purpose behind CPLR 3012-a is ethical, to deter frivolous actions and thereby reduce the cost of medical malpractice insurance premiums (*Trewari v Tsoutsouras*, 75 NY2d 1). No CPLR 3012-a certification is required for an action that does not sound in medical malpractice. Plaintiff’s counsel must therefore accurately assess, by the time of the action’s commencement, whether the action is that of ordinary negligence or medical malpractice.

Finally, liability for medical malpractice is measured against whether the provider deviated or departed from the accepted standard of care, proximately causing the alleged injuries (*Mazella v Beals*, 27 NY3d 694). Expert testimony is usually required to establish or refute that standard because of the specialized knowledge that the cases involve (*Joyner v Middletown Medical, P.C.*, 183 AD3d 593), but it is not needed if an action can be determined from the jurors’ common knowledge such as under *res ipsa loquitor* (*Kombat v St. Francis Hosp.*, 89 NY2d 489)(foreign object left in a patient during surgery). Contrastingly, for ordinary negligence, expert testimony may be needed or helpful depending on the nature and complexities of the case, but claims and defenses may also sometimes be established without experts if the issue to be resolved is within the common knowledge and experiences of jurors (*Bermeo v Rajai*, 282 AD2d 700).

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

JUSTICE BRANDEIS LAW SOCIETY 9TH JUDICIAL DISTRICT
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YOM HASHOAH 2023 AT THE COURTHOUSE

DEFENDERS OF DEMOCRACY

Paul Adler Esq. **CHAIRPERSON**

The Honorable Anne E. Minihan, Administrative Judge 9th Judicial District **GUEST SPEAKER**

Monday, April 17, 2023 | 2-3PM

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YOM HASHOAH 2023 AT THE COURTHOUSE

Today, more than ever, we (HMCTE & JBLS) recognize the need to strengthen our democracy, emphasize pluralism, and find unity with those whom we disagree. As we each do our part to strengthen American democracy, we know that our judges and lawyers are on the forefront of ensuring our legal protections and the future of our country. Civil rights, human rights, election law, and many more components of the legal system play a crucial role in securing our democracy against the ideologies of hatred that wish to see us torn asunder.

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**United States District Court
SOUTHERN DISTRICT OF NEW YORK
Office of the District Court Executive**

Laura Taylor Swain
Chief Judge

Edward A. Friedland
District Executive

COURT NOTICE TO THE BAR
April 6, 2023

CONTACT
Karen Van Outryve, 212-417-8741

SOUTHERN DISTRICT OF NEW YORK SEEKING CANDIDATES FOR CRIMINAL JUSTICE ACT PANEL

The United States District Court for the Southern District of New York is seeking applicants for the SDNY Criminal Justice Act (CJA) Panel. Applications are available on the court's website at www.nysd.uscourts.gov/cja.php. Completed applications must be addressed to David Patton, Executive Director of the Federal Defenders of New York, and submitted electronically by May 31, 2023 to karen_van_outryve@fd.org; no paper applications will be accepted.

The CJA Panel is comprised of private attorneys who are authorized to serve as appointed defense counsel pursuant to 18 U.S.C. § 3006A. To qualify for a position on the CJA Panel, attorneys must be members in good standing of the bar of the Southern District and have proven experience and competency in the field of federal criminal defense work. Applications will be reviewed by a committee of attorneys that will forward its recommendations to the Southern District Board of Judges' Defender Services Committee. The Court is committed to increasing the diversity of the applicant pool and encourages qualified female and minority lawyers to apply for positions.

Candidates can apply to be a member of the Foley Square Panel or the White Plains Panel or both. CJA Panel attorneys commit to being "on duty" one day every four to six months if a member of the Foley Square panel and approximately one day every month if on the White Plains panel. On that "duty day," CJA attorneys represent clients when the Federal Defender has a conflict; the hours of duty are from 9:00 a.m. until the closing of the Magistrate Judge's Office, which is sometimes after 5:00 p.m. CJA Panel members serve a three-year term and are reimbursed at the rate of \$158/hour for in-court and out-of-court time.

– more –

"We are fortunate to have such skilled and experienced lawyers dedicated to the critical work of providing indigent defendants with the representation to which they are constitutionally entitled," said United States District Judge Cathy Seibel who leads the Southern District's Defender Services Committee.

Southern District Chief Judge Laura Taylor Swain said, "Our panel of outstanding CJA attorneys is integral to our court's ability to protect defendants' Constitutional rights and provide equal justice under the law. They provide exemplary representation and we look forward to being able to invite additional outstanding practitioners to join them in this important work."

Attorneys can also apply for membership on panels that represent defendants in capital cases and in non-trial work, primarily habeas corpus proceedings. In addition, the Southern District also sponsors a mentoring program that helps identify and prepare experienced state court practitioners for appointment to the Panel. While the mentorship program is aimed at increasing the diversity of the Panel, the program is open to all. Contact Peter Quijano at 212-686-0666 or Anthony Ricco at 212-791-3919 for more information on the mentorship program.

RCBA CARES

LTLC WELLNESS CORNER

This article was written by AW Advocate and was published in the Attorney Wellness Advocate, Austin, Texas.

DO YOU KNOW THE OPPOSITE OF SCHADENFREUDE



In the legal profession, competition and comparison are rampant, it's easy to fall into the trap of schadenfreude, the feeling of joy when others fail. However, there is a better way to live, and it's called Mudita. Mudita is a concept that is often associated with Buddhist teachings, and it is considered one of the Four Immeasurables or Brahmaviharas, which are virtues that can help cultivate positive relationships and emotional well-being.

As a Sanskrit word, Mudita translates to "sympathetic joy" or "taking joy in the success of others." It is the opposite of schadenfreude, and it is a principle that we should all strive to live by. When we practice Mudita, we are happy for the success of others, even if it doesn't directly benefit us. We take pleasure in seeing our friends, family, and colleagues succeed, and we support them in their endeavors.

The practice of Mudita has numerous benefits, not just for the people around us but for ourselves as well. When we take joy in the success of others, we create a positive and supportive environment. We encourage others to continue striving for their goals, and we motivate them to achieve even more. This positivity is contagious, and it can inspire others to spread joy and success as well.

Furthermore, being surrounded by successful and motivated people can also motivate us to elevate our own lives. Success, joy, and motivation are all contagious, and we are more likely to experience them when we surround ourselves with people who possess these qualities.

It is also essential to remember that not everyone has the same opportunities and experiences in life. It's crucial to be humble and help lift up those who may not have had the same level of success as us. Celebrating the successes of others, no matter how big or small, can go a long way in boosting their confidence and self-esteem.

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It's also important to celebrate the successes of our colleagues. Celebrating their achievements can strengthen our relationships and make them more mutually beneficial. When we support and encourage our colleagues, we create a positive and productive work environment, which can lead to better outcomes for everyone involved.

Changing our perspective to encourage Mudita is not always easy. It requires us to let go of our ego and embrace the successes of others as if they were our own. It takes practice and conscious effort, but the benefits of Mudita are worth it. Living under the principle of Mudita may seem difficult at first, especially if we have been conditioned to feel envy or competition. However, there are practical tips that we can incorporate into our lives to help us embrace Mudita and take joy in the success of others. Here are a few:

1. *Practice gratitude:* Being grateful for what we have can help us focus on the positives in our lives and appreciate the success of others. By regularly reflecting on the things we are thankful for, we can cultivate a mindset of contentment and joy.
2. *Reframe your thoughts:* When you hear about someone's success, instead of feeling envious or jealous, reframe your thoughts to focus on the positive aspects of their achievement. Think about how their success might inspire you, or how you could learn from their experience.
3. *Offer congratulations:* When someone you know achieves something, offer them congratulations and express genuine happiness for their success. This can strengthen your relationship with them and create a more positive and supportive environment.
4. *Celebrate with others:* If someone you know is celebrating a success, join in on the celebration. Whether it's attending a party, sending a card or gift, or simply acknowledging their achievement with a kind word, celebrating with others can help you feel more connected and positive.
5. *Be a supportive listener:* If someone shares their success with you, be a supportive listener. Ask questions, show interest, and celebrate their achievement with them. By being a good listener, you can help create a positive and supportive environment for others.

Overall, embracing Mudita requires a conscious effort to let go of negative emotions and embrace positivity and joy. By practicing gratitude, reframing your thoughts, offering congratulations, celebrating with others, and being a supportive listener, you can start to incorporate Mudita into your daily life and create a more positive and supportive environment for yourself and those around you.

CLE CORNER

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April 18, 2023 12:00 pm—1:00 pm

THE LAW REPORTING BUREAU

April 20, 12:30 pm—1:30 pm

PLANNING CONSIDERATIONS FOR NY'S NEW MEDICAID ELIGIBILITY REQUIREMENTS

May 2, 12:00 pm—1:00 pm

APPELLATE PRACTICE

May 3, 6:00pm – 8:00 pm

CPLR UPDATE

May 12 ,9:30 am—12:30 pm

RESTORATIVE MEDIATION

May 24, 12:30 pm—1:30 pm

OPENING STATEMENTS

June 6, 12:30 pm —1:30 pm

JURY SELECTION

June 14, 12:00 pm—1:30 pm

NEW CLE REQUIREMENT:

In addition to ethics and professionalism, skills, law practice management, areas of professional practice, and diversity, inclusion and elimination of bias courses, there is a new category for cybersecurity, privacy and data protection. This category of credit is effective January 1, 2023.

Experienced attorneys due to re-register on or after July 1, 2023 must complete at least one credit hour in the Cybersecurity, Privacy and Data Protection CLE category of credit as part of their biennial CLE requirement. Newly admitted attorneys need not comply if admitted prior to July 1, 2023 in their newly admitted cycle, but must comply in future reporting cycles. Attorneys admitted on or after July 1, 2023, must complete the 1 CLE credit hour in Cybersecurity, Privacy and Data Protection as part of their new admitted attorney cycle. 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.

FINANCIAL HARDSHIP POLICY:

RCBA members and non-members may apply for tuition assistance to attend Association continuing legal education programs based on financial hardship. Any member or non-member of our Association who has a genuine financial hardship may apply in writing, no

CLE UPDATE

CYBERSECURITY REQUIREMENT

Effective January 1, 2023 - New Category of CLE Credit - Cybersecurity, Privacy and Data

Protection: A new category of CLE credit - Cybersecurity, Privacy and Data Protection - has been added to the CLE Program Rules. This category is defined in the [CLE Program Rules 22 NYCRR 1500.2\(h\)](#) and clarified in the [Cybersecurity, Privacy and Data Protection FAQs](#) and [Guidance document](#). Providers may issue credit in Cybersecurity, Privacy and Data Protection to attorneys who complete courses in this new category on or after January 1, 2023.

Effective July 1, 2023 - Change to Experienced Attorney Biennial CLE Requirement to Include One

Credit Hour in Cybersecurity, Privacy and Data Protection: Experienced attorneys due to re-register on or after July 1, 2023 (birthday is on or after July 1st) must complete at least 1 CLE credit hour in Cybersecurity, Privacy and Data Protection as part of their biennial CLE requirement. See [CLE Program Rules 22 NYCRR 1500.22\(a\)](#).

Effective July 1, 2023 - Change to Newly Admitted Attorney CLE Requirement to Include One

Credit Hour in Cybersecurity, Privacy and Data Protection: Newly admitted attorneys whose admission to the NY Bar is on or after July 1, 2023 must complete at least 1 CLE credit hour in Cybersecurity, Privacy and Data Protection as part of their CLE requirement. See [CLE Program Rules 22 NYCRR 1500.12\(a\)](#).

Attorneys may apply a maximum of three (3) credit hours of cybersecurity, privacy and data protection-ethics to the four-credit hour ethics and professionalism requirement.



ODYSSEY



Our Members' Literary Corner

We hope to publish a literary piece, written by one of our Members, each month in Newsbrief.

Please email your submission in a Word document to

Barbara@rocklandbar.org

WE WANT TO HEAR FROM YOU!



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 Barbara@rocklandbar.org by the 15th of the month so that the Executive Board may review it.

Thank you!



Monthly
Newsletter

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BUSINESS CARD:	\$75.00	\$60.00

CLASSIFIED ADS

RCBA Members – free, up to 50 words; over 50 words, cost is \$75.00.

Non-Members, cost is \$50 for up to 50 words; up to 100 words, cost is \$75.

PLEASE NOTE:

NEWSBRIEF IS NOT PUBLISHED IN JULY

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COMMITTEE CORNER

ANNOUNCEMENT FROM THE PERSONAL INJURY & COMPENSATION LAW COMMITTEE

We are now regularly meeting via Zoom and would like you to attend. If you are on the Committee and have not been receiving notices, please check/update your contact details with the Bar. If you are not a member, we would like you to join. The Bar Association will facilitate this process. Our next meeting is Wednesday, April 26, 2023, at 5:00 p.m. Jeff Adams, Chair and Valerie Crown, Co-Chair.

ANNOUNCEMENT FROM THE CRIMINAL LAW COMMITTEE

The next meeting of the Criminal Law Committee Meeting will be:

May 17, 2023, 5:15 p.m. – 6:30 p.m.

Place: Rockland County Bar Association

ATTORNEY POSITION AVAILABLE

Feerick Nugent MacCartney seeks attorney interested in local government, municipal law, labor law, municipal prosecution work in the justice courts. The position requires evening work for Board meetings and court appearances in local Justice Courts. Position is full time. Benefits are available. Salary depending on qualifications beginning at \$70,000 - \$110,000. To apply, contact Shannon at shannond@fnmlawfirm.com

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Fully furnished, newly renovated, single office rental in my Suite at 10 Esquire Rd. Suite 10, New City, for \$600 per month inclusive of everything and free WiFi. No security required. Can be a month to month arrangement. Please contact David Castagna, Esq. at (845)-638-2889.

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. All RCC students are trained to work virtually and proficient in virtual computer programs. Contact Amy Hurwitz-Placement Coordinator at (845) 574-4418 or email at

**PARALEGAL WITH RECENT LAW
OFFICE EXPERIENCE**

Job duties: preparing real estate, condominium, debt collection, and estate documents, billing, and general office work.

\$25-\$30/hour, 25-30 hours/week, pd. vacation & sick leave

Qualifications:

3+ years relevant and recent experience in law office

Excellent communication, writing and organization skills, MS Office

Call Mr. Smith at 845-634-7265

OFFICE SPACE FOR RENT

Beautiful, spacious and modern office available for immediate occupancy. Located at One Blue Hill Plaza, Pearl River. If interested, call: (845) 356-4600

OFFICE SPACE AVAILABLE

Furnished 12' x 10' corner office with adjacent secretarial space and storage cabinet outside office in large suite (personal injury/malpractice law firm) with 3 conference rooms available to tenants, a kitchen and reception service-additional space potentially available if needed. Office located at 151 N. Main Street, New City, NY. Contact Susan Convisar at (845) 267-4878.

OFFICE SPACE AVAILABLE

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

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