

# ROCKLAND COUNTY BAR ASSOCIATION

# NEWSBRIEF

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September 2024

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Barbara Silverstone—Editor

## President's Post

“Change is inevitable. Growth is optional.” John Maxwell

I'm embracing change. Change is good I tell myself. Certainly, there have been many changes in my life during this Summer with becoming President, the death of a beloved family member and becoming an empty nester.

RCBA is changing as well. As we leave Summer behind and move forward into Fall, I look forward to working with our Board members, half of whom are new. There have also been changes to committee assignments and committee chairs. With change comes progress, a fresh perspective, new ideas and the opportunity to grow.

I am sure most of you are experiencing changes in your personal and professional lives as well. For example, all of us are learning how to navigate the challenges of Artificial Intelligence and utilize it to the benefit of our law practice. Let us use the changes in our personal and professional lives to grow stronger in our mindset, skills and profession.

In addition to new board members, we have new staff members. Please welcome Tiffany Lloyd, our new Assigned Counsel Coordinator who started in July and replaces Manuela Gomez who we thank for her many years of service at RCBA. We wish her well in her new position in the NYS Unified Court System.

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We also bid a fond farewell to Barbara Silverstone, Program Coordinator who did a terrific job in organizing and administering our CLEs and putting together our *Newsbrief* each month. We wish Barbara well in her new position as the Executive Director of the NJ Association of Professional Mediators. We are excited to welcome Diane French as our new Program Coordinator who comes to us with many years' experience as a project manager and prior business owner.

Have a wonderful September and I hope to see you all at our first Lunch with a Judge program of this year on September 16<sup>th</sup> with Judge Hal Greenwald. RSVP today if you have not already done so!

Laurie A. Dorsainvil, Esq.

President



# SAVE *The* DATE

WEDNESDAY

OCT  
23

2024

## Rockland County Bar Association Annual Dinner GALA

NOW CELEBRATING OUR 131ST YEAR!

**Guest of Honor**  
**Hon. Joseph A. Zayas**  
**Chief Administrative Judge**  
**of the NYS Unified Court System**

**LIFETIME ACHIEVEMENT AWARD**

**RICKI H. BERGER, ESQ.**

**Dedicated RCBA member, Grievance Committee Chair  
and prior long-standing Board Member**

**NATALIE COUCH AWARD**

**WILLIE J. TROTMAN**

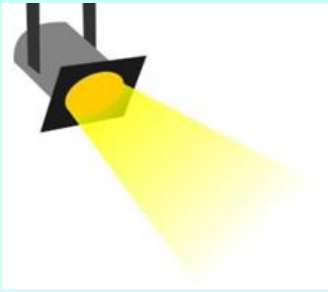
**President, NAACP Spring Valley Branch**

**THE VIEW ON THE HUDSON**

**PIERMONT, NY**



**Rockland County  
Bar Association**



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

## **SPOTLIGHT**

**Ivon Anaya, Esq.**



### **Where did you grow up?**

I had the privilege of Growing up in Cartagena de Indias, Colombia, a stunning beach city on the Caribbean coast of Colombia,

Cartagena has become a top tourist destination with its historic walls and vibrant culture. I'm deeply proud of my heritage.

### **Current hometown?**

I live in Congers, NY.

### **Where did you go to school/college/law school?**

After graduating high school, I attended law school in Cartagena, Colombia. I earned a bachelor's degree in law and completed all the requirements to be admitted as an attorney in Colombia.

Subsequently, I moved to Puerto Rico and pursued a master's in business administration (MBA) focusing on management.

In a twist of fate, I relocated to New York, where I completed a Master of Laws (LLM) at Pace Law School in White Plains, New York. This accomplishment enabled me to fulfill the requirements to take the New York Bar Exam and become an Attorney in New York State.

### **Occupation?**

I am currently a Supervising Attorney at the Center for Safety and Change.

### **What has been your career path?**

My career path began with humble beginnings but was driven by a big dream. As an immigrant, I faced numerous challenges in adapting to life in this country, including learning the language and obtaining the required credentials to work in the legal field. In my early days in the United States, I took on various odd jobs such as teller and customer service representative.



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Once I was admitted to the New York Bar, my legal career began to progress steadily. For eight years, I worked as a full-time associate at de Moya Law & Associates, P.C., where I primarily assisted clients in the areas of bankruptcy, immigration, foreclosure defense, and family/divorce cases.

In my current role at the Center for Safety and Change, I have the privilege of making a profound impact on the lives of crime victims and immigrants who urgently need compassionate and zealous representation.

**What is your favorite thing about Rockland?**

Rockland County's multiracial and diverse population creates a welcoming environment, making it a great place to live. I particularly enjoy the county's beautiful parks and lakes, with Congers Lake being my favorite spot for walking.

**Family Life**

My husband and I are now preparing for a new stage as a couple, as my son heads off to college at UMASS, Amherst. We look forward to enjoying a peaceful life with our five spoiled cats, while my son is away at college. We also love traveling, engaging in outdoor activities, and hosting family and friends at our home, where we often treat them to an Argentinian Asado.

**How did you get here?**

I relocated to Rockland County after marrying my husband, who has been a longtime resident of the area.

**Who is your inspiration/hero?**

I admire Justice Ruth Bader Ginsburg, who overcame numerous trials and adversities in her early career as a lawyer. Despite these challenges, she became a fierce advocate for women's rights and led the fight against gender discrimination, championing equality for both men and women.

**What good advice have you received?**

Be disciplined and transparent. Discipline has taught me that dreams can become reality while maintaining the highest standards of ethics and transparency in my work.

**Favorite TV or streaming show or book?**

My favorite book is *Gone with the Wind*. I'm captivated by its story, characters, and the vivid portrayal of the Civil War. It's a book I can read multiple times with the same enthusiasm. I've enjoyed it in both English and Spanish, and I consider it a true literary gem.

**What is your guilty pleasure?**

My guilty pleasure is booking a spontaneous four-hour flight for a weekend getaway to my hometown of Cartagena to listen to the sea waves and admire the beauty of the sunset.

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

I am deeply grateful and honored to be part of the Rockland County Bar Association, an organization that has opened numerous doors for my professional development. I currently have the privilege of serving as co-chair of the Immigration Committee alongside Crismelly Morales, Esq.

I find joy in every aspect of my legal career, viewing even adversarial situations as valuable opportunities for growth and overcoming challenges. Each day, I wake up with a passion for serving my clients and take pride in making a meaningful impact in my community through exceptional legal services. My goal is to continue growing as an attorney, with the aspiration of one day becoming a judge in this county.

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**Thank you From Barbara Silverstone:**

I want to thank the Rockland County Bar Association for the opportunity to work with my fellow Rockland County attorneys for the past 18 months. I have enjoyed getting to know many of you, while planning CLE programs and other activities that enhance your ability to practice and network.

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**LOOKING FOR A WILL**

If you have any information about the firm associated with attorney  
Aaron Finkel, 1 South Madison Ave., Spring Valley,  
please contact Tiffany at the Bar Association Office: [Tiffany@rocklandbar.org](mailto:Tiffany@rocklandbar.org)

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**LOOKING FOR A WILL**

Looking for information about Morton Lieb, deceased Orangeburg attorney. If you have information regarding who took over this attorney's records, please call Jamie at 904-545-1304.

## THE PRACTICE PAGE

### A LOOK AT CPLR 325

Hon. Mark C. Dillon \*

The New York State Constitution was amended by popular vote, effective January 1, 2022, to increase the monetary jurisdictional limits of the New York City Civil Court from \$25,000 to \$50,000 (NY Constit. Art. VI, sec. 15). While a doubling of that court's monetary jurisdiction sounds significant, it is not as much as it sounds. The Civil Court's earlier \$25,000 jurisdictional limit was established in 1983, and factoring in over four decades of inflation, the recent increase does not even fully restore its monetary jurisdiction to the present-day value which had earlier been established. In other words, the increase was not truly an increase, but merely a partial adjustment for years of inflation.

That said, the state's Constitution was not amended for other courts of limited jurisdictions such as the various city courts outside of New York City, the county courts, the district courts on Long Island, and the town and village justice courts elsewhere in the state. As to those courts, we are still living in the pricing we knew roughly four decades ago, when the national average for gas at the pump was \$1.16 a gallon. The true value of the monetary jurisdictions of the local courts are, as a practical matter, a third of what they used to be accounting for overall inflation (Inflation Tool Calculator, <https://www.inflationtool.com/us-dollar/1983-to-present-value>). Yet, those courts are the ones "closest to the people" with many matters prosecuted or defended *pro se*, so that the lessening of the value of the dollar makes those courts even "closer."

The Supreme Court, and the Court of Claims as to matters against the State of New York, are the only trial-level courts of unlimited monetary jurisdiction. The topic of the jurisdictional limits of the "lower" courts implicates CPLR 325. If our labyrinthian court system is a ladder, each court has its own higher or lower rung. CPLR 325 allows for the transfer of cases from a lower court to a higher court, or from a higher court to a lower court.

If a civil action is commenced in a lesser court but is of the value of a higher court, it may be removed to a higher court of proper monetary jurisdiction (CPLR 325[b]; *Smith v Monarch Life Ins. Co. Co.*, 66 AD2d 482). The late Professor David Siegel and Professor Patrick Connors, in their leading textbook on New York Practice, advise that if the lower court lacked subject matter of the action in the first instance, it

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lacks the jurisdictional authority to send the case “up” to a higher court, as only the higher court is jurisdictionally authorized to remove a lower matter to itself (Siegel, David D. and Connors, Patrick, *New York Practice* [6<sup>th</sup> ed.], p. 41, sec. 25; see also *Spinell v Doris L. Sassower, P.C.*, 155 Misc.2d 147). Removals to superior courts will arise when an action is commenced in a court that lacks the monetary jurisdiction to hear it (CPLR 325[a]). It may also arise when a plaintiff wishes to increase the damages sought in a pending action to a sum beyond the jurisdictional limit of the original court (CPLR 325[b]). In that instance, the removal motion to the superior court must be accompanied by an application to increase the *ad damnum* clause of the complaint (*Martin v Waldbaum’s Supermarket*, 172 AD2d 804).

But more frequently, the issue of monetary jurisdiction involves the sending of a case “down” the ladder from a higher court to a lower one. As to that there are two different scenarios. The first scenario is when the parties consent to a CPLR 325(c) removal of the action to the lower court. In that instance, the parties, upon removal, are each subject to the jurisdictional limit of the lower court receiving the action (*Cadle Co. v Lisa*, 46 AD3d 422). The *ad damnum* clause in the plaintiff’s complaint is the easiest and simplest clue about the value of the case in controversy. Parties may decide to consent or not consent to the removal of an action based upon jury pool issues, the economics of the case, the backlog of the superior court, the speed of the lower court’s calendar, the complexity of the issues, and the quality of the lower court’s bench. A waiver of a jury in the original court is not controlling upon an action removed to a lower court (CPLR 325[c]).

Nevertheless, higher courts such as the Supreme Court may remove matters to lower courts *without the consent of the parties* under CPLR 325(d) (Uniform Rule 202.13[a] through [i]). The justice in the superior court must determine from whatever information is available that the value of the action likely falls within the monetary jurisdiction of the lower court (*Clark v Garth*, 36 AD2d 1012). The lower court to which the action is removed must have subject matter jurisdiction but for the amount of the damages demanded (*Chung v Kim*, 170 AD2d 232). Under those circumstances, the parties are not bound by the monetary jurisdictional limit of the lower court. In effect, the lower court hears the action with the monetary jurisdictional limit of the referring court (*Caffrey v North Arrow Abstract & Settlement Services, Inc.*, 160 AD3d 121). The amount of awardable damages is subject to one qualifier, that the lower court’s jurisdiction is capped by the amount of damages demanded in the plaintiff’s complaint (*Gordon v Board of Educ. of New York City*, 134 Misc.2d 284). A noteworthy case is *Reid v Incorporated Vill. of Floral Park*, 107 AD3d 777, where the Supreme Court dismissed the plaintiff’s contractual claims as time-barred. Upon dismissal, the timely remaining claims were removed to a lower court, without the parties’ consent, as they fell within the monetary jurisdiction of the lower court.

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An interesting tidbit: When an action is removed upon the parties' consent, costs are awarded under the cost schedule of the court to which the action is removed. But if the removal is without consent, costs are awarded as if the action remained in its original court of filing (CPLR 8104).

Which brings our discussion back to the increase of the monetary jurisdictional limit of the New York City Civil Court. Predictably, more actions will now be removed from the Supreme Court within New York City to the Civil Court there, when the value of those actions appears to fall within the now-raised \$50,000 limit. Good news for the dockets of the Supreme Courts as each removal qualifies there as a "disposition," but not so much for the Civil Courts sitting in the same five counties comprising the City of New York. CPLR 325 shall have no greater or lesser effect upon the city courts elsewhere in the state, the District Courts on Long Island, and the town and village justice courts, whose monetary jurisdictional limits remain where they were in 1983.

\*Mark C. Dillon is a Justice of the Appellate Division, 2<sup>nd</sup> Dep't., an Adjunct Professor of New York Practice at Fordham Law School, and a contributing author of the CPLR Practice Commentaries of McKinney's.



## COMMERCIAL LITIGATION ISSUES OF INTEREST

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

Your client is a foreign corporation sued by a foreign LLC for money allegedly due under a merchant cash advance agreement. After almost a year of litigation, you decide to move by order to show cause to dismiss the action for lack of subject matter jurisdiction, hoping for an early resolution. You argue that the parties and the claims do not fit any of the BCL § 1314(b) categories that allow a foreign corporation to sue another foreign corporation in New York courts. You do not seek any interim relief.

Will the court sign your order to show cause?

The answer is *no*.

In *Surfside Capital v. Rodgers*, NYLJ 1720822943NY526479202; Case No. 526479/2023 (Sup. Ct. Kings Co. July 7, 2024), Surfside, a Delaware LLC, sued the defendants, Mississippi corporations not authorized to do business in New York, for money due under an agreement signed in Mississippi for the purchase and sale of future receivables. After almost a year of litigation, defendants submitted an order to show cause seeking dismissal of the complaint for lack of subject matter jurisdiction pursuant to BCL § 1314(b), which lists the limited conditions required for a foreign corporation to sue another foreign corporation in New York courts. The order to show cause did not request a stay or ask the Court to specify the means of service.

In its decision declining to sign the order to show cause, the Court examined the statutes and rules authorizing use of an order to show cause, including CPLR 2214(d), which provides that a court may grant an order to show cause “in a proper case,” and 22 NYCRR § 202.8-d, allowing an order to show cause “only when there is a genuine urgency,” or a stay is required, or a statute mandates proceeding by order to show cause. Where none of the three grounds of Rule 202.8-d are met, the language of CLR 2214(d) controls, requiring the application to present “a proper case.”

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The Court ruled there was no genuine urgency, such as a notice of pendency preventing the defendants from conveying good title at an upcoming closing, citing *Cook v. Estate of Achzet*, 214 A.D.3d 1369 (4th Dep’t 2023). The defendants here failed to demonstrate why “the motion to dismiss the complaint for lack of subject matter jurisdiction is a matter of genuine urgency.” No stay was sought, and no statute mandates this motion to be brought by order to show cause.

The Court rejected that this was “a proper case” for an order to show cause, noting that the issue of subject matter jurisdiction is common to the many cases alleging breach of a merchant cash advance contract in Kings County. Thus, “the issue is not unique to the instant action and, therefore, one not compelling a practically instantaneous determination.”

Court backlog, according to the Court, mitigated against placing “this motion ahead of others” brought by notice of motion.

It is evident that the court system has still not caught up with the motion backlog resulting from the COVID-19 pandemic. Motions made two years ago still come up for determination. In an ideal situation, motions brought on by notice of motion would be placed on a judge’s calendar for the date set forth in the notice of motion or the next available motion date but unfortunately this is not presently possible. Defendants should have realized this and moved by way of notice of motion. This motion is not “a proper case” for an expeditious determination through an order to show cause (CPLR 2214 [d]).

The Court concluded by citing a case from “a long time ago,” *Androvette v. Bowne*, 15 How Prac 75 (Sup Ct, NY County 1857). An order to show cause “was intended to be confined to exceptional cases, and not to be exercised indiscriminately on all occasions, many of them not of urgency, but only of urgent parties.”

*The lesson?* If you proceed by order to show cause and don’t have a typical urgency, such as a pending sale of property, be creative. Seek a stay of pending motions that need not be considered by the Court if your motion to dismiss the complaint is granted. Or consider showing, for example, that your client is losing funding or clients or contracts due to the pending claims. Otherwise, the order to show cause may not be signed.

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



# Technology Tips for Attorneys



submitted by

**Michael Loewenberg\***

**Smartphones: An Attorney's Secret Weapon**

As an attorney, your smartphone can be one of your most powerful tools, helping you stay organized, productive, and connected on the go. Whether you're an iPhone aficionado or an Android enthusiast, your device is packed with features that can make your legal practice more efficient and effective. Let's explore some helpful uses and tips for attorneys, highlighting the differences between Android and iPhone, and uncovering some lesser-known features that can give you an edge in your daily work.

## Essential Apps for Legal Professionals

Both Android and iPhone users have access to a wealth of apps designed specifically for attorneys. Some must-haves include:

**Legal Research Apps:** Westlaw and LexisNexis offer mobile versions of their platforms, allowing you to conduct research from anywhere. iPhone users can take advantage of the seamless integration with other Apple devices, while Android users benefit from more customizable widgets for quick access.

**Document Management:** Apps like Dropbox and Google Drive are available on both platforms, but Android users might find Google Drive more deeply integrated into their ecosystem. iPhone users, on the other hand, can leverage iCloud for seamless syncing across Apple devices.

**Time and Billing:** Apps like Clio or MyCase help you track billable hours and manage invoices. Android's customizable home screen widgets can give you at-a-glance views of your daily time tracking, while iPhone users can use Siri shortcuts for quick time entry.

## Productivity Boosters

**Voice-to-Text:** Both platforms offer excellent voice-to-text capabilities, perfect for dictating notes or drafting emails while on the move. Android's Google Voice Typing is known for its accuracy, while iPhone's dictation feature is seamlessly integrated across the OS.

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**Calendar Management:** Google Calendar works great on both platforms, but Android users might find it more deeply integrated. iPhone users can take advantage of the native Calendar app's natural language processing for quick event creation.

**Task Management:** Apps like Todoist or Microsoft To-Do are available on both platforms. Android users can create custom shortcuts for quick task entry, while iPhone users can use Siri to add tasks hands-free.

Lesser-Known Features

Now, let's uncover some hidden gems that can make your smartphone even more valuable:

**Document Scanning:** Both Android and iPhone have built-in document scanning features in their respective Notes apps. This is perfect for quickly digitizing contracts or evidence.

**Built-in Translation:** Google Translate is available on both platforms, but Android users can use the Google Lens feature for real-time translation of documents. iPhone users can use the built-in Translate app for quick conversations with non-English speaking clients and Google Lens in the Google App.

**Voice Memos with Transcription:** The Voice Memos app on iPhone now offers automatic transcription, which can be a game-changer for dictating notes. Android users can achieve similar functionality with the Google Recorder app.

**Customizable Focus Modes:** iPhone users can create custom Focus modes to filter notifications and change home screens based on different work scenarios, like "In Court" or "Client Meeting."

Tips for Maximizing Your Smartphone's Potential

**Customize Your Home Screen:** Organize your apps and widgets for quick access to your most-used tools. Android users have more flexibility in layout, while iPhone users can create custom app icon shortcuts for a personalized look.

**Master Voice Commands:** Whether it's Siri (iPhone) or Google Assistant (Android), learn the voice commands relevant to your practice for hands-free productivity.

**Explore Accessibility Features:** Both platforms offer a range of accessibility options that can be repurposed for productivity, like using text-to-speech for reviewing long documents and back tap on an iPhone.

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Whether you're an Android or iPhone user, your smartphone is an invaluable asset in your legal practice. By leveraging these features and tips, you can transform your device into a powerful legal assistant, helping you work more efficiently and effectively. Remember, the best smartphone for an attorney is the one that fits seamlessly into your workflow and helps you provide the best service to your clients. So, explore your device, experiment with different apps and features, and find the setup that works best for you.

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

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134 Route 59  
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Tel: 845-918-1277  
email: [akolber@kolberlegal.com](mailto:akolber@kolberlegal.com)  
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# RCBA MEMBERS' GOOD NEWS!

OUR MONTHLY COLUMN ANNOUNCING OUR MEMBERS' GOOD NEWS



**GOOD NEWS!**  
CONGRATULATIONS TO  
RCBA TREASURER  
NICOLE DIGIACOMO  
ON HER MARRIAGE TO  
KEVIN HANEY ON  
AUGUST 24, 2024 IN  
SEASIDE PARK, NJ!



New baby or  
grandbaby!

New Job or  
Promotion!



**GOOD NEWS!**  
**GOOD NEWS!**  
**GOOD NEWS!**

Marriages!

Special Event!

We can all use some good news.  
Please share what is happening in your life!  
Your RCBA colleagues want to share your joys!  
We will print your good news in the monthly Newsbrief  
Photos welcome!

Graduations!

Anything that  
made you  
smile!

Please send your good news to Diane at  
[Diane@Rocklandbar.org](mailto:Diane@Rocklandbar.org)

Any questions? Contact Diane



The Rockland County Bar Association has a [Facebook page](#) where we announce upcoming events and other issues of interest to the local community.

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### MORE INFORMATION

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 [Barbara@rocklandbar.org](mailto:Barbara@rocklandbar.org)

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# RCBA MEMBERS' 2023 HISTORIC 130<sup>TH</sup> ANNIVERSARY COMPOSITE GROUP PHOTO

## COMPOSITE PHOTO IS NOW AVAILABLE FOR SALE!

To purchase the 130<sup>th</sup> Anniversary Historic Composite:

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Click on "Gallery" in the lower right hand corner  
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When the page opens click on "View Gallery"  
Then click on the small photo in the lower left hand corner  
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### Price List

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**CALL DIANE AT 845-634-2149 OR EMAIL  
[DIANE@ROCKLANDBAR.ORG](mailto:DIANE@ROCKLANDBAR.ORG)**

**\*REGULAR, ASSOCIATE OR AFFILIATE MEMBER**

**[USE THIS LINK TO APPLY FOR MEMBERSHIP ONLINE](#)**

## **NEWSBRIEF ADVERTISING RATES**

### **NEWSBRIEF ADVERTISING RATES**

**Discounts: 10% for 6 mo. bookings, 20% for 1 year bookings. Must be paid for in advance**

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### **CLASSIFIED ADS**

**RCBA Members – free, up to 50 words; 51 to 100 words, cost is \$75.00.**

**Non-Members, cost is \$50 for up to 50 words; 51 to 100 words, cost is \$100.**

### **PLEASE NOTE:**

**NEWSBRIEF IS NOT PUBLISHED IN JULY**

**CALL DIANE @ 845-634-2149 or send email to [Diane@Rocklandbar.org](mailto:Diane@Rocklandbar.org)**

**TO ADVERTISE IN NEWSBRIEF**

**Advertising & articles appearing in the RCBA Newsletter does not presume endorsement of products, services & views of the Rockland County Bar**

**Association.**

**All advertisements and articles must be reviewed by the Executive Committee for content.**

## **CLE CORNER**

### **SAVE THESE DATES FOR CLE PROGRAMS!**

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**September 19, 12:15 p.m. –1:30 p.m. –Aging in Place with Medicaid Home Care.** The speaker is Anthony Enea, Esq. This program will be presented on Zoom. This program is sponsored by CDPAP Home Care Services.

Register [here](#)

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**September 25, 5:30 p.m.—7:30 p.m. Ethics: Attorney Escrow Account Refresher and Fraud Prevention Methods .** This program will be presented in person. Location TBD

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**November 6, 12:30—2:00. An Interactive Criminal Trial Voir Dire Appellate Practice.** This program will be presented on Zoom.

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**November 13, 12:30—2:00. Special Needs Trust.** This program will be presented by Charles Davis on Zoom.

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**Missed a CLE program? You can earn credit by watching the video replay. Contact**

**Diane@Rocklandbar.org to receive the recording. Payment by check only.**

*Remember, RCBA Members receive a discounted registration fee for all CLE programs*



# CLE REQUIREMENTS

## CLE REQUIREMENTS

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.

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.

## ADDITIONAL CLE REQUIREMENT - CYBERSECURITY

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 now a category for cybersecurity, privacy and data protection. This category of credit is effective January 1, 2023.

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.

See [CLE Program Rules 22 NYCRR 1500.22\(a\)](#).

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](http://nycourts.gov/Attorneys/CLE).

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.

## 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 later than five working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive tuition assistance, depending on the circumstances.

# COMMITTEE CORNER

The Rockland County Bar Association has 26 active committees, plus several *ad hoc* committees. Members may join these committees and volunteer their time and expertise for the good of the Bar Association, their colleagues and the public. Here are some of the activities! We look forward to seeing you!

## NEW LAWYERS AND SOCIAL COMMITTEE

Nicole DiGiacomo is the new Co-Chair of this Committee and she is looking for new members. The Committee will engage newly admitted attorneys as well as seasoned attorneys who are interested in mentoring those newly admitted.

## PRO BONO COMMITTEE

This newly established Committee embraces the spirit of “pro bono” by connecting with Bar Association practitioners from all areas to create a centralized corps of volunteers who will assist those in need who are unable to be assisted by the Legal Aid Society or Legal Services of the Hudson Valley. If you are interested in joining this Committee, please email Nancy at [Nancy@rocklandbar.org](mailto:Nancy@rocklandbar.org)

## IMMIGRATION LAW COMMITTEE

Immigration Law is a critical component of our system of laws. We are pleased to announce that the Rockland County Bar Association is relaunching the Immigration Committee. The committee is being co-chaired by two experienced immigration attorneys, Ivon Anaya, Esq. and Crismelly Morales, Esq. Given the recent influx of Immigration in our community, we are excited to provide insight and updated information about Immigration Law to the members of the Bar Association and our community.

We are looking for new members! If you are interested in joining our committee, please email Ivon at [Ianaya@centersc.org](mailto:Ianaya@centersc.org) and Crismelly at [Crismelly@cmoraleslaw.com](mailto:Crismelly@cmoraleslaw.com) to express your interest. Stay tuned for our future meetings and events!

## PERSONAL INJURY & COMPENSATION LAW COMMITTEE

Your Rockland County Bar Association Personal Injury & Compensation Law (Negligence) Committee regularly meets via zoom. If you are not yet a member and wish to join our committee, please contact the association. If you have a topic that you think may be of interest to the committee, please let us know.

Upcoming Meetings:

September 16 2024, 5:00 p.m. The committee meeting will be held on Zoom.

If you are not on the committee and are interested in participating in one of these meetings, please contact us.

Thank you, **Jeffrey Adams** (Chair) & **Valerie Crown** (Co-Chair)

# 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 [Diane@rocklandbar.org](mailto:Diane@rocklandbar.org) by the 15th of the month so that the Executive Board may review it.

Thank you!



Monthly  
Newsletter

Still not a member? Join Now!

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REFERRAL SERVICE

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**[www.Rocklandbar.org](http://www.Rocklandbar.org)**

RCBA STORE





UCS-23

EMPLOYMENT  
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UNIFIED COURT SYSTEM

PLEASE POST  
ANNOUNCEMENT NO. 52442

The Appellate Division, Second Judicial Department, is currently seeking applications for an attorney in the Court's Mental Hygiene Legal Service. The position will be filled in one of the following titles dependent upon the qualifications and experience of the applicant selected. Applicants should specify the position title or titles for which they wish to be considered.

**POSITION TITLE:** ASSISTANT ATTORNEY **JG: 21**

**BASE SALARY:** \$73,897 + \$4,775 LOCATION PAY

**QUALIFICATIONS:** Graduation from an accredited law school and admission to New York State Bar within 18 months of appointment.  
**To be qualified for this position, you must have a valid driver's license and a properly registered automobile for use in performing official duties away from your assigned station.**

**DISTINGUISHING FEATURES OF WORK:** Assistant Attorneys serve in a confidential capacity and work under direct supervision and receive on-the-job instruction in legal research and in preparing cases for administrative tribunals and litigation in the courts, and in performing other related duties. Assistant Attorneys provide legal research and advocacy services in the Mental Hygiene Legal Services, attorney disciplinary committees, 18B panel administration, or other such units.

**POSITION TITLE:** ATTORNEY **JG: 23**

**BASE SALARY:** \$82,198 + \$4,775 LOCATION PAY

**QUALIFICATIONS:** Admission to the New York State bar.  
**To be qualified for this position, you must have a valid driver's license and a properly registered automobile for use in performing official duties away from your assigned station.**

**DISTINGUISHING FEATURES OF WORK:** Under direct supervision, Attorneys serve in a confidential capacity and research legal questions and issues, prepare cases for administrative proceedings and litigation in the courts, and perform other related duties. Attorneys provide legal research and advocacy services in the Mental Hygiene Legal Services, attorney disciplinary committees, 18B panel administration, or other such units.

**POSITION TITLE:** SENIOR ATTORNEY **JG: 26**

**BASE SALARY:** \$96,594 + \$4,775 LOCATION PAY

**QUALIFICATIONS:** Admission to the New York State bar and two (2) years of service in the Attorney title; or equivalent legal experience.  
**To be qualified for this position, you must have a valid driver's license and a properly registered automobile for use in performing official duties away from your assigned station.**

**DISTINGUISHING FEATURES OF WORK:** With substantial independence from supervision, Senior Attorneys serve in a confidential capacity and research legal questions and issues, organize investigations, prepare and present cases before administrative tribunals and courts, and perform other related duties. Senior Attorneys provide legal research and advocacy services in the Mental Hygiene Legal Service, attorney disciplinary committees, 18B panel administration, or other such units. They may also oversee a departmental law guardian program.

**POSITION TITLE:** ASSOCIATE ATTORNEY **JG: 28**

**BASE SALARY:** \$107,629 + \$4,775 LOCATION PAY

**QUALIFICATIONS:** Admission to the New York State Bar and two (2) years of service in the Senior Attorney title; or equivalent legal experience.  
**To be qualified for this position, you must have a valid driver's license and a properly registered automobile for use in performing official duties away from your assigned station.**

**SENIOR ASSISTANT COUNTY ATTORNEY**

**ROCKLAND COUNTY DEPARTMENT OF LAW**

The Rockland County Department of Law is seeking candidates for a full-time, Senior Assistant County Attorney position.

**Job description:** This is professional legal work involving responsibility for representing the County Attorney in court cases and other legal proceedings, hearings and appeals and for providing legal advice and assistance to County departments. This title is distinguished from that of Assistant County Attorney in the difficulty of assignments and the exercise of independent judgment. All work is performed under the general direction of the County Attorney and work guidance may be provided to attorneys and support staff. Does related work as required.

The work is performed reports directly to the County Attorney and Deputy County Attorney. Rockland County residency is required.

**Required Qualifications:**

Possession of a license to practice law in New York State and provide a current certificate of good standing.

**Other Requirements and Information:**

Residency in Rockland County is a requirement for this position.

Work Location: New City, New York

**Salary and benefits are competitive with the public sector market including but not limited to the following:**

- Approximately \$88,079 Annual Salary (*\$90,281 as of January 1, 2025*)
- 40 Hour work week (8 hours per day, Monday through Friday) with hybrid work schedule option after probation period, subject to office policy
- Benefits include Medical, Dental and Vision
- Other benefits include deferred compensation, retirement savings and health savings account programs
- Paid time off including vacation, personal and holiday time
- This position is New York State Pension eligible
- This position qualifies for the federal employer for Public Loan Service Forgiveness program

Employee assistance program offered

**Interested candidates should email a cover letter, resume, (2) references, and a writing sample to:**

Mercedes Felix

Confidential Assistant to the County Attorney

11 New Hempstead Road

New City, New York 10956

[felixm@co.rockland.ny.us](mailto:felixm@co.rockland.ny.us)

Date Posted: 7/17/2024

**SEEKING LEGAL INTERNSHIP**

Abaigael Regi, current Clarkstown North student, aspiring legal professional, seeks internship and volunteer opportunities. Dedicated, driven, and skilled in research and communication. Ready to contribute and learn.

Contact: [abaigael.regi@gmail.com](mailto:abaigael.regi@gmail.com) | (845) 507-3419

**REMOTE WORK SOUGHT**

Experienced NY litigation and transactional law practitioner seeks remote part time or per diem work. Hours and pay rate flexible.

Please contact Susan Mills Richmond at 845-641-1441, [smillsrich@aol.com](mailto:smillsrich@aol.com) to discuss work needed.

**Matrimonial/Family Law Attorney**

Rockland County, NY law firm specializing in matrimonial and family law is seeking a full time associate. Excellent writing skills, trial experience and fluent Spanish speaking a plus. Starting salary range is \$55,000.00 to \$85,000.00+. Please call 845.639.4600 or fax resume to 845.639.4610 or E-mail: [michael@demoyalaw.com](mailto:michael@demoyalaw.com)

**PRO BONO OPPORTUNITY SOUGHT**

Recent Law school graduate seeks pro bono work in support of her New York Bar Application.

She graduated Seton Hall Law School in May 2023, and is now finishing a clerkship in the civil division at the Bergen County New Jersey Superior Court.

She is admitted to the New Jersey Bar, but as a newly admitted attorney that is not yet associated with a law firm, she does not have active attorney malpractice insurance, so any legal-related work would have to be signed off by an attorney who has coverage, or coverage must be provided.

Contact Melanie Filocco [melaniefilocco@gmail.com](mailto:melaniefilocco@gmail.com)

**ASSOCIATE ATTORNEY**

**Feerick Nugent MacCartney** (South Nyack) seeking NYS admitted attorney 3-4 years experience. Work entails General, Land Use, Personal Injury Litigation – State/Federal Court and familiarity with motion practice, rules of evidence, drafting complaints, discovery responses, memorandum of laws. Salary: \$120,000-\$150,000. Benefits. Higher salary commensurate with experience. Email resume: [shannond@fnmlawfirm.com](mailto:shannond@fnmlawfirm.com)

**OFFICE SPACE AVAILABLE**

Beldock & Saunders, PC, located in New City, has 3 offices with 3 separate workstations, for support staff, available to sublet. Access to conference rooms, reception area, kitchen & plenty of parking. Rent terms are flexible. Contact Steve at 845-267-4878 or email [sbeldock@beldockandsaunderslaw.com](mailto:sbeldock@beldockandsaunderslaw.com).

**PARALEGALS AVAILABLE**

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 [amy.hurwitz@sunyrockland.edu](mailto:amy.hurwitz@sunyrockland.edu)

**MUNICIPAL ATTORNEY**

**Ferick Nugent MacCartney** (South Nyack) seeking NYS admitted attorney with 2-3 years experience, interest in local government, municipal, labor law. Full-time, requiring attendance at municipal nightly meetings. Starting salary is \$120,000 to \$150,000 - higher starting salary commensurate with experience. Benefits available.

Email resume: [shannond@fnmlawfirm.com](mailto:shannond@fnmlawfirm.com)

**Part Time Paralegal / Legal Assistant**

In person and/or virtual; Surrogate filings personal injury matters; complex personal injury matters; salary commensurate with experience.

Contact: [jeff@injurylaw-ny.com](mailto:jeff@injurylaw-ny.com)

**YOUR AD HERE!**

Are you looking to hire an attorney, paralegal or office staff?  
Are you looking for new positions?  
RCBA Members can advertise here for free (up to 50 words)

**IMMIGRATION ATTORNEY WANTED**

Rockland County, law firm is seeking a full time associate with immigration experience. Trial experience, Spanish speaking, admitted to SDNY and willingness to assist with bankruptcy and loan modifications a plus. Starting salary range is \$55,000.00 to \$85,000.00+.

Call 845.639.4600 or fax resume to 845.639.4610 or

E-mail: [michael@demoyalaw.com](mailto:michael@demoyalaw.com) .

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