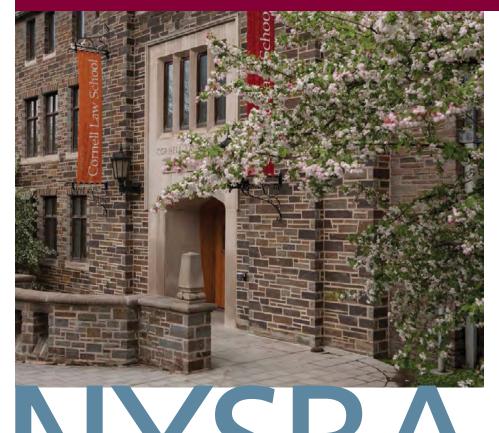
### NEW YORK STATE BAR ASSOCIATION



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PROGRAM CO-CHAIRS Erin K. Flynn, Esq. McCabe, Weisberg & Conway, LLC New Rochelle

> Terrence L. Tarver, Esq. Tarver Law Firm, P.C. Garden City

# Young Lawyers Section Trial Academy

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

April 4 - April 8, 2018

Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in PRACTICAL SKILLS in New York State only. This program is transitional and therefore suitable for newly-admitted attorneys.

### www.nysba.org/ylstrialacademy

Special Thank You to the Texas Young Lawyers Association for their assistance.



# IMPORTANT INFORMATION

The New York State Bar Association Trial Academy is a five-day trial techniques program that will teach, advance and improve the courtroom skills of young and new lawyers with an emphasis on direct participation.

### **HOW IT WORKS**

The program will take place at Cornell Law School. The materials for the program will include both a criminal and civil fact pattern which will be provided to attendees before the program's start date. Each morning of the Trial

Academy will feature a lecture on the following aspects of the trial process: Jury Selection, Opening Statements, Evidence, Foundations and Objections, Direct Examinations, Cross- Examinations, Trial Motions and Motions in Limine, and Closing Arguments. Each afternoon the lecture group will separate into small break-out groups. Prior to the start of the program each attendee will receive materials that will include which "problem" or "witness" they are to prepare for each day's break-out group. You will work with this group and your Team Leader throughout the entire Trial Academy. The breakout groups will allow you and your peers to put the theory of the lecture into practice with the feedback of your Team Leader and the rotating critique faculty. Your presentations will be recorded to allow for personal playback and review.

### **REGISTRATION AND FEES**

### NYSBA Young Lawyer Section Members: \$850.00 NYSBA Members: \$900.00

### Non-NYSBA Members: \$1,000.00

The Trial Academy is limited to 60 participants. Registrations paid in full, dependent on space available, will be accepted until March 16, 2018.

The registration fee includes all materials and a memory card, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

### **DRESS CODE**

Professional business attire is required for the program.

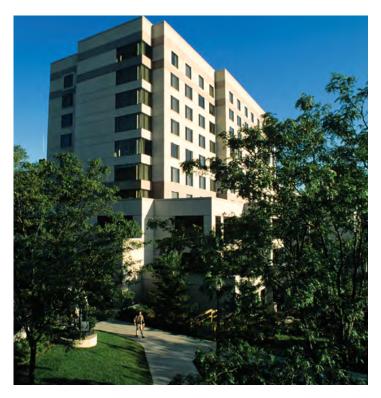
#### **CLE CREDIT INFORMATION**

Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETH-ICS and 35.5 credit hours in PRACTICAL SKILLS. This program is transitional and therefore suitable for newlyadmitted attorneys. This program is accredited for MCLE credit in New York State only. Attorneys seeking credit in other jurisdictions may contact the governing body for CLE in their respective locations for credit application details.

**Discounts and Scholarships:** Attorneys may receive financial assistance to attend this program. Under New York State Bar Association policy, attorneys who require financial assistance may apply in writing, no later than 10 working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive a discount or scholarship, depending on the circumstances. For more details, please contact: Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207 or ajasiewicz@nysba.org. Sponsoring sections of NYSBA will also be offering some scholarships to the Trial Academy.

### Accommodations for Persons with Disabilities:

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Amy Jasiewicz at ajasiewicz@nysba.org.



# 2018 SCHEDULE OF EVENTS

### Wednesday, April 4

| Myron Taylor Hall, Moot Courtroom, 3 <sup>rd</sup> Floor<br>Registration and Continental Breakfast - Sponsored by a NYSBA Section  |
|--|
| Welcome and Orientation - Moot Courtroom<br>Young Lawyers Section Chair John P. Christopher, Esq.<br>Trial Academy Program Co-Chairs Erin K. Flynn, Esq. and Terrence Tarver, Esq.<br>Criminal Justice Section Chair Tucker C. Stanclift, Esq.   |
| LECTURE: JURY SELECTION - Moot Courtroom   |
| Elizabeth M. Hecht, Esq. (Civil), Elizabeth M. Hecht, Esq., White Plains<br>David Louis Cohen, Esq. (Criminal), Law Office of David L. Cohen, Esq., Kew Gardens, NY  |
| Break  |
| LECTURE: OPENING STATEMENTS - Moot Courtroom   |
| Peter J. Moschetti, Jr., Esq. (Civil), Anderson, Moschetti, Taffany, Albany<br>Richard D. Collins, Esq. (Criminal), Collins Gann McCloskey & Barry PLLC, Mineola   |
| NYSBA Section Sponsored Luncheon   |
| BREAKOUT GROUPS - Individual Presentations on Jury Selection and Faculty Critique  |
| WELCOME COCKTAIL RECEPTION (ALL WELCOME TO ATTEND) - Taylor<br>Room, Statler Hotel - RECEPTION SPONSORED BY ARAG   |
| Criminal Justice Section Executive Committee Meeting – Yale/Princeton<br>Room, Statler Hotel   |
|  |
| Myron Taylor Hall, Moot Courtroom, 3 <sup>rd</sup> Floor<br>Registration and Continental Breakfast - Sponsored by a NYSBA Section<br>Faculty Demonstration of Opening Statements   |
| LECTURE: TRIAL ETHICS - Moot Court Room  |
| <ul> <li>Kaylin L. Whittingham, Esq., Whittingham Law, NYC</li> <li>Hon. Deborah H. Karalunas (Civil), Supreme Court Justice, Onondaga</li> <li>County Commercial Division</li> <li>Hon. Kimberly O'Connor (Civil), Supreme Court Justice, Albany County</li> <li>Supreme Court</li> </ul> |
|  |

10:10 a.m. - 10:20 a.m. Break

| 10:20 a.m. – 12:00 p.m. | LECTURE: DIRECT EXAMINATIONS - Moot Courtroom   |
|-------------------------|---|
| Speakers:               | Jonathan D. Lupkin, Esq. (Civil), Lupkin PLLC, NYC<br>Carrie H. Cohen, Esq. (Criminal) Morrison & Foerster LLP, NYC |
| 12:00 p.m. – 1:00 p.m.  | NYSBA Section Sponsored Luncheon  |
| 1:00 p.m. – 4:45 p.m.   | <b>BREAKOUT GROUPS</b> - Individual Presentations on Opening Statements and Faculty Critique                        |

5:15 p.m. – 7:15 p.m. Young Lawyers Section Executive Committee Meeting - Pennsylvania Room, Statler Hotel

# 2018 SCHEDULE OF EVENTS

# Friday, April 6

| 8:00 a.m.               | Registration and Continental Breakfast – Moot Courtroom<br>Faculty Demonstration of Direct Examination – Moot Courtroom<br>Remarks by NYSBA President Sharon Stern Gerstman, Esq.             |
|-------------------------|---|
| 8:30 a.m. – 10:10 a.m.  | LECTURE: CROSS-EXAMINATIONS PART 1 - Moot Courtroom   |
| Speakers:               | Hon. Erin P. Gall (Civil), Supreme Court Justice, Oneida County Supreme Court<br>Sherry Levin Wallach, Esq. (Criminal), Bashian & Farber, LLP, White Plains                                   |
| 10:10 a.m. – 10:20 a.m. | Break   |
| 10:20 a.m. – 12:00 p.m. | LECTURE: CROSS-EXAMINATION PART 2 - Moot Courtroom  |
| Speakers:               | <b>Timothy J. Fennell, Esq. (Civil)</b> Amdursky, Pelky, Fennell and Wallen, PC, Oswego<br><b>Peter Gerstenzang, Esq. (Criminal)</b> Gerstenzang, Sills, Davis, Cohn &<br>Gerstenzang, Albany |
| 12:00 p.m. – 1:00 p.m.  | NYSBA Section Sponsored Luncheon  |
| 1:00 p.m. – 4:45 p.m.   | <b>BREAKOUT GROUPS</b> - Individual Presentations on Direct Examinations and Faculty Critique   |

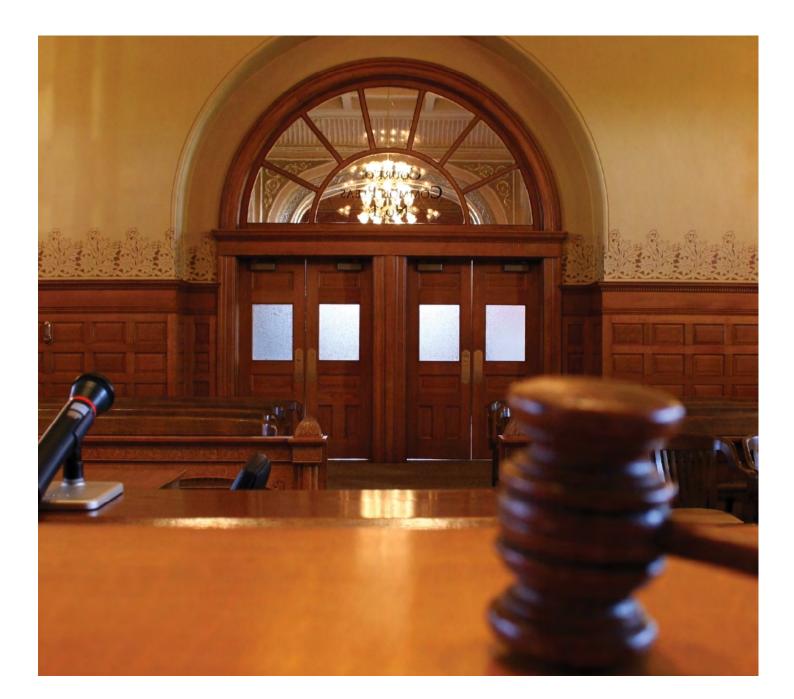
# Saturday, April 7

| 8:00 a.m.               | Registration and Continental Breakfast – Moot CourtroomFaculty<br>Demonstration of Cross Examination – Moot Courtroom<br>Presented by: Eric H. Sills, Esq., Gerstenzang, Sills, Davis,<br>Cohn & Gerstenzang, Albany  |
|-------------------------|---|
| 8:30 a.m. – 9:20 a.m.   | LECTURE: EVIDENCE, FOUNDATIONS & OBJECTIONS - Moot Courtroom  |
| Speakers:               | Laurie Giordano-Vahey, Esq. (Civil) Leclair Korona Giordano Cole LLP,<br>Rochester<br>Nicholas J. DeMartino, Esq. (Criminal) Green & Brenneck, Syracuse   |
|                         |   |
| 9:20 a.m. – 10:10 a.m.  | LECTURE: TRIAL MOTIONS & MOTIONS IN LIMINE - Moot Courtroom   |
| Speakers:               | Michael P. O'Brien, Esq. (Civil) O'Brien Law Firm PLLC, NYC<br>Hon. Guy H. Mitchell (Crim), Justice of the Supreme Court Criminal Term, NY  |
| 10:10 a.m. – 10:20 a.m. | Break   |
| 10:20 a.m. – 12:00      | LECTURE: CLOSING ARGUMENTS<br>Prof. Michael L. Fox, (Civil) Assistant Professor, Mount Saint Mary College,<br>Newburgh<br>Peter Gerstenzang, Esq. (Criminal) Gerstenzang, Sills, Davis, Cohn &<br>Gerstenzang, Albany |
| 12:00 p.m. – 1:00 p.m.  | NYSBA Section Sponsored Luncheon  |
| 1:00 p.m. – 4:45 p.m.   | <b>BREAKOUT GROUPS</b> - Individual Presentations on Cross-Examinations and Faculty Critique  |
| 5:00 p.m. – 6:30 p.m.   | CLOSING COCKTAIL RECEPTION (All Welcome to Attend), Myron Taylor<br>Hall, Student Lounge<br>Recognition of Megan O'Toole for Contributions to the Trial Academy   |

# 2018 SCHEDULE OF EVENTS

# Sunday, April 8

| 8:00 a.m.              | Registration and Continental Breakfast – Luncheon Room<br>Faculty Demonstration of Closing Arguments – Classroom 184 Team B Room<br>Presented by: Allan J. Ahearne, Jr., Esq. The Ahearne Law Firm, PLLC,<br>Warwick, NY |
|------------------------|--|
| 8:15 a.m. – 12:00 p.m. | <b>BREAKOUT GROUPS</b> - Individual Presentations on Closing Arguments<br>and Faculty Critique   |
| 12:00 p.m.             | Boxed lunches to go (in the luncheon room) - Sponsored by the<br>Young Lawyers Section   |



### $2\ 0\ 1\ 8\ \ F\ A\ C\ U\ L\ T\ Y$

#### **TEAM LEADERS**

Anthony Colleluori Raiser & Kenniff, Mineola

Ernesto Marrero, Jr. CityMD, NYC

Prof. Michael L. Fox Assistant Professor Mount Saint Mary College, Newburgh

Thomas J. O'Hern Office of Thomas J. O'Hern, Esq., Albany

Sherry Levin Wallach NYSBA Secretary Bashian & Farber, LLP, White Plains

#### **LECTURE SPEAKERS**

Carrie H. Cohen Morrison Foerster, NYC Former Assistant U.S. Attorney, SDNY David Louis Cohen Law Office of David L. Cohen, Kew Gardens **Richard D. Collins** Collins Gann McCloskey & Barry PLLC Mineola Nicholas J. DeMartino Green & Brenneck, Syracuse Timothy J. Fennell Amdursky, Pelky, Fennell and Wallen, PC Oswego Prof. Michael L. Fox, Assistant Professor Mount Saint Mary College, Newburgh Hon. Erin P. Gall **Oneida County Supreme Court Justice** Peter Gerstenzang Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany Laurie Giordano-Vahey Leclair Korona Giordano Cole, LLP. Rochester Elizabeth M. Hecht Elizabeth M. Hecht, Esq., White Plains Hon. Deborah H. Karalunas **Onondaga County Supreme Court Justice** Jonathan D. Lupkin Lupkin PLLC, NYC Hon. Guy H. Mitchell New York County Supreme Court Justice, Criminal Term, NYC Peter Moschetti Anderson, Moschetti & Taffany, PLLC, Albany Michael P. O'Brien O'Brien Law Firm, PLLC, NYC Hon. Kimberly O'Connor Acting Supreme Court Justice, Albany County Sherry Levin Wallach NYSBA Secretary Bashian & Farber, LLP, White Plains Kaylin L. Whittingham Whittingham Law, NYC

#### **CRITIQUE FACULTY**

Allan J. Ahearne The Ahearne Law Firm, PLLC Ronald J. Bekoff Hession, Bekoff & Cooper, LLP Sally G. Blinken, Venable LLP Richard Buck, Richardson & Pullen T. Andrew Brown, Brown & Hutchinson Hon. Jerald S. Carter (Ret.) Nassau County Court Thomas J. Charron Superior Court of Cobb County Catherine A. Christian New York County District Attorney's Office Mary Clark-Dirusso Westchester County District Attorney's Office Hon. William C. Donnino (Ret.) Nassau County Supreme Court David M. Chidekel Benjamin S. Clark NYS Office of the Attorney General Carrie H. Cohen, Morrison Foerster David Louis Cohen Law Office of David L. Cohen Richard D. Collins Collins Gann McCloskey & Barry PLLC Julia D'Agostino Nassau County Family Court C. Harris Dague NYS Attorney General's Office Elena DeFio-Kean, DeFio Kean, PLLC Nicholas J. DeMartino, Green & Brenneck Russell Dombrow, Dombrow Law Firm Ryan T. Donovan Harris Conway & Donovan PLLC Vincent E. Doyle III, Connors, LLP Timothy J. Fennell Amdursky, Pelky, Fennell and Wallen, PC Erin K. Flynn McCabe, Weisberg & Conway, LLC Eric M. Galarneau Albany County District Attorney's Office Hon. Erin P. Gall Oneida County Supreme Court Marc Gann Collins Gann McCloskey & Barry PLLC Karen Gerstenzang Gerstenzang, Sills, Davis, Cohn & Gerstenzang Peter Gerstenzang Gerstenzang, Sills, Davis, Cohn & Gerstenzang Laurie Giordano-Vahey Leclair Korona Giordano Cole, LLP Sarah E. Gold, Gold Law Firm David Haggard Hon. John S. Hall, Jr. Warren County Surrogate's Court

Elizabeth M. Hecht, Esq., White Plains Patrick Hennessey Patrick Hennessy Law Firm Hon. Debra A. James New York State Supreme Court Hon. Deborah H. Karalunas Onondaga County Supreme Court Matthew J. Kelly Roemer Wallens Gold & Mineaux LLP Sean P. Kelly Law Office of Michael T. Kelly Donald T. Kinsella Law Offices of Donald T. Kinsella Jonathan D. Lupkin Lupkin PLLC Peter Moschetti Anderson, Moschetti & Taffany, PLLC Shadi Masri Albany County District Attorney's Office Benjamin M. Mastaitis Albany County District Attorney's Office Hon. Robert A. McDonald New York State Supreme Court Mark Moretti, Phillips Lytle LLP Hon. Phaedra Perry New York City Civil Court – New York County Gene V. Primomo Office of the Federal Public Defender Katelyn Primomo-Millwood The Legal Project Hon. Guy H. Mitchell New York County Supreme Court, Criminal Term Mark J. Moretti, Phillips Lytle LLP Philip W. Mueller (Ret.) Schenectady County District Attorney's Office Michael P. O'Brien, O'Brien Law Firm PLLC Hon. Kimberly O'Connor Albany County Supreme Court Danielle Neroni Reilly Law Offices of Danielle Neroni Violet Samuels Samuels & Associates, PC Jessica Segal Stenger, Roberts, Davis & Diamond, LLP Steven Sharp Albany County District Attorney's Office Eric H. Sills Gerstenzang, Sills, Davis, Cohn & Gerstenzang Tucker C. Stanclift, Stanclift Law PLLC Terrence L. Tarver, Tarver Law Firm, PC Hon. Patricia A. Williams (Ret.) Bronx County Supreme Court JUROR/WITNESS COORDINATOR

Elizabeth M. Hecht

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

## TRAVEL INFORMATION

Cornell Law School is located in central New York on the Ithaca campus of Cornell University. The campus can be reached by car, air, or train.

### **BY CAR**

**From Points North (Including Syracuse and Water-town)** – Syracuse, NY is approximately 60 miles north of Cornell University with an estimated driving time of 1 hour and 30 minutes.

**From Points East (Including Albany and Boston)** – Albany, NY is approximately 160 miles east of Cornell University with an estimated driving time of 2 hours and 30 minutes.

**From Points South (Including New York City)** – New York City is approximately 220 miles southeast of Cornell University with an estimated driving time of 5 hours.

**From Points West (Including Buffalo and Roches-ter)** – Buffalo, NY is approximately 150 miles west of Cornell University with an estimated driving time of 3 hours.

#### **BY AIR**

**The Ithaca Tompkins Regional Airport** is located on Brown Road in Ithaca, NY, a 10-minute drive from the Cornell University campus. The area is serviced by US Airways and Northwest Airlines.

**Syracuse Hancock International Airport** in Syracuse, NY, is approximately 60 miles north of Cornell University with an estimated driving time of 1 hour and 30 minutes.

**Greater Rochester International Airport** in Rochester, NY, is approximately 100 miles northwest of Cornell University with an estimated driving time of 2 hours.

**Greater Binghamton Airport** in Binghamton, NY, is approximately 40 miles south of Cornell University with an estimated driving time of 1 hour and 15 minutes.

**Elmira-Corning Regional Airport** in Horseheads, NY, is approximately 37 miles south of Cornell University with an estimated driving time of 1 hour.

### **BY TRAIN**

**Syracuse Amtrak Station** in Syracuse, NY is located approximately 80 minutes from Ithaca. Syracuse is connected to the Empire (N.Y.C.-Niagara Falls), Lake Shore Limited (Chicago- Boston), and Maple Leaf (N.Y.C.-Toronto) routes.

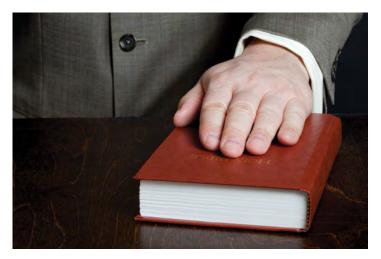
### **PARKING INFORMATION**

On-campus parking except in metered areas, is by permit only. A limited amount of non-permit parking is available after 5 p.m., including the Hoy Road parking garage and the north campus A lot. Short-term parking permits are available for \$10 per day from any information and parking booth, Monday–Friday, 7:30 a.m.–5:00 p.m.

### **HOTEL INFORMATION**

Hotel accommodations are **not** included in the registration fee. A limited number of rooms may be available at the Statler Hotel on the Cornell University campus. To make a hotel reservation at the Statler, call the Statler Hotel Reservations Department at **1-800- 541-2501** and indicate you are with the **New York State Bar Association group**.

For alternate hotel accommodations please visit **www. campustravel.com/university/cornell** for local recommendations.



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Special Thanks to Cornell Law School for Hosting the 9<sup>th</sup> Annual Trial Academy



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