

NEW YORK STATE BAR ASSOCIATION



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NYSBA

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 break-out groups will allow you and your peers to put the theory of the lecture into practice with the feedback of your Team Leader and the rotating critique faculty. Your presentations will be recorded to allow for personal playback and review.

REGISTRATION AND FEES

NYSBA Young Lawyer Section Members: \$850.00

NYSBA Members: \$900.00

Non-NYSBA Members: \$1,000.00

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

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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

- 7:30 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Registration and Continental Breakfast - Sponsored by a NYSBA Section
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** - Moot Courtroom
Young Lawyers Section Chair **John P. Christopher, Esq.**
Trial Academy Program Co-Chairs **Erin K. Flynn, Esq. and Terrence Tarver, Esq.**
Criminal Justice Section Chair **Tucker C. Stanclift, Esq.**
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** - Moot Courtroom
- Speakers: **Elizabeth M. Hecht, Esq.** (Civil), Elizabeth M. Hecht, Esq., White Plains
David Louis Cohen, Esq. (Criminal), Law Office of David L. Cohen, Esq., Kew Gardens, NY
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12:00 p.m. **LECTURE: OPENING STATEMENTS** - Moot Courtroom
- Speakers: **Peter J. Moschetti, Jr., Esq.** (Civil), Anderson, Moschetti, Taffany, Albany
Richard D. Collins, Esq. (Criminal), Collins Gann McCloskey & Barry PLLC, Mineola
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS** - Individual Presentations on Jury Selection and Faculty Critique
- 5:15 p.m. – 6:45 p.m. **WELCOME COCKTAIL RECEPTION (ALL WELCOME TO ATTEND)** - Taylor Room, Statler Hotel - **RECEPTION SPONSORED BY ARAG**
- 6:30 p.m. – 8:00 p.m. Criminal Justice Section Executive Committee Meeting – Yale/Princeton Room, Statler Hotel

Thursday, April 5

- 8:00 a.m. **Myron Taylor Hall, Moot Courtroom, 3rd Floor**
Registration and Continental Breakfast - Sponsored by a NYSBA
Demonstration of Opening Statements by: Julia D'Agostino, Esq., Deputy Bureau Chief, Nassau County Family Court
- 8:30 a.m. – 10:10 a.m. **LECTURE: TRIAL ETHICS** - Moot Court Room
- Moderator: **Kaylin L. Whittingham, Esq.**, Whittingham Law, NYC
- Speakers: **Hon. Deborah H. Karalunas** (Civil), Supreme Court Justice, Onondaga County Commercial Division
Hon. Kimberly O'Connor (Civil), Supreme Court Justice, Albany County Supreme Court
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: DIRECT EXAMINATIONS** - Moot Courtroom
- Speakers: **Jonathan D. Lupkin, Esq. (Civil)**, Lupkin PLLC, NYC
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. **BREAKOUT GROUPS** - Individual Presentations on Opening Statements and Faculty Critique
- 5:15 p.m. – 7:15 p.m. Young Lawyers Section Executive Committee Meeting - Pennsylvania Room, Statler Hotel

2018 SCHEDULE OF EVENTS

Friday, April 6

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**
Remarks by NYSBA President Sharon Stern Gerstman, Esq.
Faculty Demonstration of Direct Examination – Presented by:
Ernesto Marrero, 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
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: **Timothy J. Fennell, Esq. (Civil)** Amdursky, Pelky, Fennell and Wallen, PC, Oswego
Peter Gerstenzang, Esq. (Criminal) Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Direct Examinations and Faculty Critique**

Saturday, April 7

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**
Faculty Demonstration of Cross Examination – Moot Courtroom
Presented by: Eric H. Sills, Esq., Gerstenzang, Sills, Davis,
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, Rochester
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
Hon. Guy H. Mitchell (Crim), Justice of the Supreme Court Criminal Term, NY
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 **LECTURE: CLOSING ARGUMENTS**
Prof. Michael L. Fox, (Civil) Assistant Professor, Mount Saint Mary College, Newburgh
Peter Gerstenzang, Esq. (Criminal) Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Cross-Examinations and Faculty Critique**
- 5:00 p.m. – 6:30 p.m. **CLOSING COCKTAIL RECEPTION (All Welcome to Attend), Myron Taylor Hall, Student Lounge**
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**
Faculty Demonstration of Closing Arguments – Classroom 184 Team B Room
Presented by: Allan J. Ahearne, Jr., Esq. The Ahearne Law Firm, PLLC, Warwick, NY
- 8:15 a.m. – 12:00 p.m. **BREAKOUT GROUPS - Individual Presentations on Closing Arguments and Faculty Critique**
- 12:00 p.m. **Boxed lunches to go (in the luncheon room) - Sponsored by the Young Lawyers Section**



2018 FACULTY

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

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, Sils, 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*
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Nassau County Court
 Thomas J. Charron
Superior Court of Cobb County
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 Mary Clark-Dirusso
Westchester County District Attorney's Office
 Hon. William C. Donnino (Ret.)
Nassau County Supreme Court
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 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*
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Amdursky, Pelky, Fennell and Wallen, PC
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 Peter Gerstenzang
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 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
Elizabeth M. Hecht, Esq., White Plains
 Patrick Hennessy
Patrick Hennessy Law Firm
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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
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Anderson, Moschetti & Taffany, PLLC
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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. Sils
Gerstenzang, Sils, 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

 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 Watertown) – 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 Rochester) – 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 9th Annual Trial Academy***



NEW YORK STATE BAR ASSOCIATION
DEPARTMENT OF SECTION AND MEETING SERVICES

One Elk Street
Albany, NY 12207