

STAR Watch

Statewide Technology Assistance Resources Project
A publication of the Western New York Law Center, Inc.



Volume 15 Issue 6

Nov-Dec 2011



Five Additional Online Trainings Available

Five new trainings are available for viewing over the web by attorneys and staff. Everyone who wishes to view these trainings must register. There is no charge for viewing any of these trainings, but there is a processing fee for CLE credit. All of the trainings listed in this article will be available by January 15 of next year.

To view the trainings...

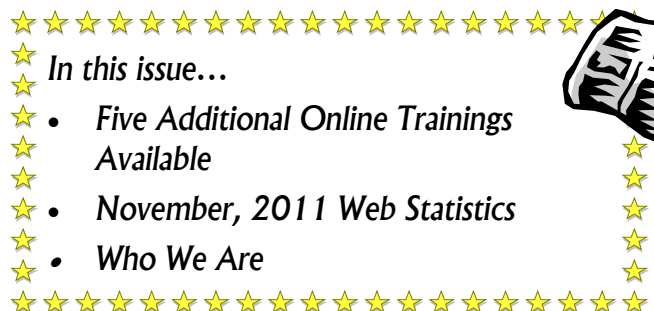
- Start up your web browser and go to this location:
<http://onlineresources.wnyc.net>
- On the left side of the screen, click on "Online Training"
- Click on the desired training; a registration form will be displayed
- Fill out the registration form; then click on "Submit form"
- A link to the presentation will be sent to the email address provided in the registration form

If you are an attorney and wish to receive

CLE credit, you must fill out the course evaluation and attorney affirmation forms and mail it to the address on the form along with payment for processing of the CLE credit request. New York State Bar Association rules require that the forms be mailed. They cannot be submitted electronically.

Newly admitted attorneys in New York State cannot receive CLE credit for online training.

If you are an attorney who is not licensed in New York State and want CLE credit, please check to see if your state allows New York State CLE credits to be applied to your state's CLE requirements.

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- In this issue...*
- *Five Additional Online Trainings Available*
 - *November, 2011 Web Statistics*
 - *Who We Are*



Kinship Care: Rights, Opportunities, Assistance and Resources

This course includes an introduction to the scope and causes of kinship care including grandparent visitation and kinship caregiver rights. Kinship caregiver legal issues are discussed covering different legal statuses, recognition, authority, security and assistance along with recent case law as well as emerging kinship issues and state and federal recommendations. In addition, public benefits for relative caregivers are discussed including food stamps, child care, housing subsidies and social security. Family court practice, hypotheticals and local and statewide resources are also presented.

CLE credit: 3.0 Professional Practice

Date of original presentation: 10/17/11

Presenters: Gerard Wallace, Esq., Susan Antos, Esq., Empire Justice Center, and Nicole Mariani, Esq.

Viewing time: 2 hours 31 minutes

If you do not want CLE credit for watching this training, there is no charge. If you want New York State CLE credit, you may receive 3.0 hours of CLE credits for Professional Practice. The cost of CLE is \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. When you complete this registration form, you will receive a link to the training. The link to the CLE forms will be on the training page.

Financial Hardship Policy available upon request. Contact Michelle Peterson, Training Coordinator

Basic Wills, Health Care Proxies & Powers of Attorney in New York State and Standby Guardianship Proceedings in Surrogate's Court

Major topics addressed in this CLE include the following:

Basic Wills, Health Care Proxies & Powers of Attorney in New York State: intestacy in New York State; executor/guardian for children considerations; will format; will execution process; purpose, statutory basis, format, execution and modification/ revocation of the health care proxy and power of attorney forms; choosing agents and attorneys-in-fact.

Standby Guardianship Proceedings in Surrogate's Court: VLSP helps parents with HIV/AIDS and other life-threatening illnesses make plans for the future care of their children by appointing a standby guardian through the Surrogate's Court. Topics will include the law and procedures of standby guardianship.

Date of original presentation: 09/30/2011

Presented by: Adam H. Brunner, Esq., Nixon Peabody LLP; John L. Garrett, Esq., Nixon Peabody LLP; R. Thompson Gilman, Esq., Woods Oviatt Gilman LLP; Margaret J. Lavery, Esq., Court Attorney, Monroe County Surrogate's Court

Total viewing time: 1 hour 45 minutes

CLE credit: 2.0 Skills

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is re-



quested. Attorneys located in or near Monroe County may receive CLE credit free of charge in exchange for a commitment to accept and complete one Volunteer Legal Services Project of Monroe County, Inc. pro bono case within one year. The fee will be refunded after the attorney completes a case and requests a refund.

Financial Hardship Policy: Available upon request. Contact Linda Kostin, Pro Bono Coordinator, Seventh Judicial District

Ethics Redux

Co-sponsored by Volunteer Legal Services Project of Monroe County, Inc. and ProBonoNY, this presentation was originally broadcast throughout the Seventh Judicial District in conjunction with the American Bar Association's Second Annual National Celebration of Pro Bono. The major topics addressed in this CLE include the following: confidentiality and candor to the tribunal, the historical perspective of the adoption of the Rules of Professional Conduct in April 2009, a discussion of the most significant changes for practicing attorneys, the top areas for ethical violations, and an overview of the attorney grievance procedure.

Date of presentation: 10/29/2010

Presenters: Hon. Marian W. Payson,

United States Magistrate Judge, Western District of New York; Gregory J. Huether, Esq., Chief Counsel, Attorney Grievance Committee, Appellate Division, Fourth Department; Christopher K. Werner, Esq., Boylan, Brown, Code, Vigdor & Wilson, LLP (Opening remarks by James P. McElheny, Esq., Co-President, VLSP Board of Directors)

Viewing time: 1 hour 56 minutes

CLE credits: 2.0 Ethics

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing



this training unless CLE credit is requested. Attorneys located in or near Monroe County may receive CLE credit free of charge in exchange for a commitment to accept and complete one Volunteer Legal Services Project of Monroe County, Inc. pro bono case within

one year. The fee will be refunded after the attorney completes a case and requests a refund.

Financial Hardship Policy: Available upon request. Contact Linda Kostin, Pro Bono Coordinator, Seventh Judicial District

Divorce 101

Together with the Additional Topics in Matrimonial Law CLE, this CLE was



broadcast live from Rochester's Hall of Justice as part of New York State's first live broadcast of pro bono CLEs, as confirmed by John Ritchie, Esq., Special Counsel to the Hon. Fern A. Fisher, Deputy Chief Administrative Judge for New York City Courts and Director, NYS Courts Access to Justice Program. The major topics addressed include an overview of a divorce action, judgment rolls & more and child support basics.

Subsequent to this CLE training in May, 2010, there have been several important changes in New York Divorce Law:

On October 12, 2010, New York's no-fault divorce law went into effect. Before that, a spouse wanting a divorce had to accuse the other of a specific legal breach such as cruel and inhuman treatment, abandonment, adultery, prolonged incarceration, etc. Now, New York simply requires a claim by one spouse only that "the relationship between husband and wife has broken down irretrievably for a period of at least six months", though issues of spousal support (alimony), property settlement/distribution and child custody and child support must be resolved before a court can enter a final divorce decree.

In addition, this new law allows a court to award temporary spousal maintenance (alimony) while the divorce is pending if one spouse's income is less than two-thirds of the other spouse's. The new formula is the lesser of:

- Thirty percent of the higher earning spouse's income minus twenty percent of the lesser earning spouse's income; or
- Forty percent of the couple's combined income minus the lesser earning spouse's income.

In addition to awarding temporary spousal maintenance, the law goes even further to create a presumption that the spouse with the higher income will, in the court's discretion, pay both spouses' attorney's fees for the divorce. Previously, the burden to get such an

award was higher and thus an award was rare. Under the new law, an attempt is being made to "level the playing field" so that lower earning spouses can hire counsel without worrying who will pay the bill.

Finally, the new law also allows modifications in child support orders in the

event of a "substantial change in circumstances", which is defined as a fifteen percent or more change in either party's gross income. However, a mere reduction of one party's income is insufficient unless the reduction was involuntary and that party has diligently tried to find other employment, the goal being to protect children, the innocent bystanders in divorce proceedings. Similar to the changes above, this provision seeks to ensure predictability and equity in the dissolution of a marriage.





Date of original presentation:
05/07/2010

Presented by: Paloma Capanna, Esq.,
Lisa Sadinsky, Esq., and Kevin Nasca,
Esq., Principal Law Clerk to the Hon.
John M. Owens, J.S.C.

Total viewing time: 2 hours 33 minutes

CLE credit: 1.5 Professional Practice,
1.5 Skills

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is requested. Attorneys located in or near Monroe County may receive CLE credit free of charge in exchange for a commitment to accept and complete one Volunteer Legal Services Project of Monroe County, Inc. pro bono case within one year. The fee will be refunded after the attorney completes a case and requests a refund.

Financial Hardship Policy: Available upon request. Contact Linda Kostin, Pro Bono Coordinator, Seventh Judicial District

Additional Topics in Matrimonial Law

Together with the Divorce 101 CLE, this CLE was broadcast live from Rochester's Hall of Justice as part of New York State's first live broadcast of pro bono CLEs, as confirmed by John Ritchie, Esq., Special Counsel to the Hon. Fern A. Fisher, Deputy Chief Administrative Judge for New York City Courts and

Director, NYS Courts Access to Justice Program. The major topics addressed include equitable distribution, custody issues and trends, and domestic violence/mental health/suicide prevention.

Date of original presentation: 05/07/2010

Presented by: Catherine Cerulli, J.D., Ph.D., University of Rochester School of Medicine and Dentistry, Charles Inclima, Esq., and Thomas Martin, Esq.

Total viewing time: 2 hours 49 minutes

CLE credit: 1.5 Professional Practice, 1.5 Skills

Cost for viewing this training if CLE credit is requested: \$60.00 for Not-for-Profit Agencies; \$90.00 for Private Practice Attorneys. There is no charge for viewing this training unless CLE credit is requested. Attorneys located in or near Monroe County may receive CLE credit free of charge in exchange for a commitment to accept and complete one Volunteer Legal Services Project of Monroe County, Inc. pro bono case within one year. The fee will be refunded after the attorney completes a case and requests a refund.

Financial Hardship Policy: Available upon request. Contact Linda Kostin, Pro Bono Coordinator, Seventh Judicial District





WNYLC Web Statistics For November 2011

Total Hits.....432,762
 Number of Pages Viewed.....174,831
 Total Visitors.....63,018
 Average Hits/Day.....14,425
 Average Pages /Day.....5,827
 Top Web Browsers Used:
 Internet Explorer 8.x.....27%
 Internet Explorer 7.x.....21%
 Internet Explorer 6.x.....9%
 Firefox.....10%
 Google Chrome.....5%

Top Operating Systems Used:
 Windows 7.....17%
 Windows Vista.....13%
 Windows XP.....40%
 Mac OS.....4%



WHO WE ARE

- Joe Kelemen - Attorney
- Lauren Breen - Attorney
- Keisha Williams - Attorney
- Danielle Mayer-Dorociak - Attorney
- Amy Kaslovsky - Attorney
- Nicole Talev - Attorney
- Vera Cedano - Attorney
- Graham Leonard - Paralegal
- Dan Kresse - Paralegal
- Kate Timm - Paralegal
- Tom Karkau - Programmer
- Sherry Soules - Administrator
- Joy McDuffie - Data Analyst



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