

ERIE INSTITUTE OF LAW PRODUCT CATALOG



Keeping Pace with the Profession: Continuing Legal Education at the Erie Institute of Law

Membership surveys confirm that CLE seminars remain the single most valuable benefit that members derive from belonging to the Bar Association of Erie County. The Erie Institute of Law, the fully accredited educational arm of the BAEC, offers full day, half day, and mini-seminars in a wide range of legal practice and ethics areas. Established in 1993, the Institute provides attorneys in both public and private practice with cutting edge programs that meet continuing education requirements for the substance, practice and ethics of law. Members can earn their credits by attending live seminars or purchasing DVD, CD and On-Demand recordings. Revenues are used to offset program costs and contribute to other worthwhile Association programs.

The Erie Institute of Law coordinates the popular Midday Lecture Series and other special seminars. With the rapid and frequent changes that occur in many areas of law, these programs help bar members keep pace with the complexities of the profession. And with special pricing “for members only,” we think you'll agree that the Erie Institute offers members the best CLE value in Western New York.

Product Information

Our products are recordings of the Erie Institute of Law's successful and well-attended CLE seminars. All recordings are professionally edited and accompanied by a full set of written course materials. Many of our members find this to be the most convenient way to obtain their mandatory CLE credits.

**The Erie Institute of Law has been accredited by the New York State
Continuing Legal Education Board as an accredited provider of
“non-traditional” CLE course formats.**

CLE Credit for Non- Traditional Course Formats

The Erie Institute of Law requires attorneys to complete an attestation form for each program reviewed. In addition to the attorney affirmation required, alphanumeric codes are embedded on our recorded seminars. You are required to submit these code numbers to verify that you have completed the course before receiving CLE credit. Upon receipt of the completed form, the Institute will issue a certificate of completion for the CLE activity. We strongly advise you to be cognizant of legal developments that may have occurred since the dates of the live programs from which our recordings and written materials originated, and to use these products promptly to earn your MCLE credit at the earliest possible time.

EXPERIENCED ATTORNEYS (admitted to practice law for more than two years) may fulfill some or all of their MCLE requirements through approved forms of “non-traditional” CLE programs.

NEWLY ADMITTED ATTORNEYS (admitted to practice law for less than two years) must take accredited transitional CLE courses in a format permissible for the category of credit. Transitional courses are designed to help newly admitted attorneys develop a foundation in the practical skills, techniques and procedures that are essential to the practice of law. **Skills** credit must be earned in the traditional live classroom setting or by attendance at a fully interactive videoconference that has been approved by the CLE Board for use by newly admitted attorneys. **Ethics and Professionalism** credit may be completed in the traditional live classroom setting, by attendance at a fully interactive videoconference that has been approved by the CLE Board for use by newly admitted attorneys, or by participation in the live simultaneous transmission of a live program, such as a webinar or teleconference, where audience questions are allowed during the program (synchronous interactivity). If there is no opportunity for questions during the program, then a newly admitted attorney may not earn Ethics and Professionalism credit for the program. **Areas of Professional Practice and/or Law Practice Management** credit may be completed in any approved format, including non-participatory formats such as on-demand video, live broadcast, DVD, audio recording, etc.

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ALTERNATIVE DISPUTE RESOLUTION

Mediation: Let's Make a Deal

Product Code 2136

Presented on January 21, 2009 • 4.5 CLE Credits: 0.5 Ethics, 2.0 Law Practice

Management/Professional Practice, 2.0 Skills

CD: \$100 BAEC Members, \$140 Non-Members

Mediation is here to stay. Advocates of the approach emphasize its many advantages over traditional litigation.

A distinguished panel of local lawyers and jurists discuss the current state of Alternative Dispute Resolution (ADR) in Erie County including court programs and mediation panels. The program includes focus groups, a mock mediation, discussions of ADR procedures and the ethical issues involved, and comments from Hon. Eugene F. Pigott, Jr.

Secrets of Successful Advocates in Mediation

Product Code 2179

Presented on June 9, 2011 • 3.5 CLE Credits: 1.5 Areas of Professional Practice,

1.0 Law Practice Management, 1.0 Skills

CD: \$85 BAEC Members, \$125 Non-Members

More and more lawyers are representing clients in mediation proceedings. This seminar, given by experienced advocates who have handled personal injury, business and employment mediations, will cover preparing the client for mediation, the suggested content and tone of the mediation memorandum, selection of a mediator, do's and don'ts in your presentation, preparing and working with the mediator, and other pertinent aspects of effectively representing your client in mediation in order to achieve a satisfactory settlement.

Program includes Guest Speaker, Edna Sussman, a fulltime arbitrator and mediator, and principal of Sussman ADR LLC.

APPELLATE PRACTICE

Appellate Practice in the Fourth Department (The Former Law Clerk's Perspective)

Product Code 2210

Presented on June 27, 2013 • 3.0 CLE credits: 1.0 Areas of Professional Practice,

2.0 Skills

CD: \$80 BAEC Members, \$120 Non-Members

Learn about Appellate Practice in the Fourth Department from the perspective of former law clerks! Our experienced presenters cover brief writing, issue preservation and motion practice. A panel discussion on career paths concludes this informative program, which will benefit both civil and criminal practitioners.

Preservation, Notices of Appeal and Other Scary Criminal Appellate Things

Product Code 2270

Presented on September 16, 2016 • 3.0 CLE Credits: 1.0 Ethics, 1.0 Areas of Professional

Practice, 1.0 Skills

CD or DVD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members
(**PROMO CODE:** member2017), \$130 Non-Members

The Appellate Practice Committee presents: Preservation, Notices of Appeal and Other Scary Appellate Things. Topics covered in this seminar:

- Preserving Issues for Appeal: Don't Just Sit There, Say Something
- Access to Appellate Review: Notices of Appeal and Other Monsters, and
- Let's Talk Ethics: Appeals and Other Issues

Pros in Action: Court of Appeals Arguments

Product Code 2198

Presented on June 29, 2012 • 3.0 CLE Credits: 1.0 Law Practice Management,
2.0 Skills

DVD: \$80 BAEC Members, \$120 Non-Members

The Appellate Practice Committee invites you to join New York State Court of Appeals Judge Eugene F. Pigott, Jr., Buffalo attorneys Paul Cambria, Shawn Hennessy, Edward Markarian and Alan Voos, watch and discuss video replays of *People v Spicola* and *Bissell v Town of Amherst*. These cases were well-argued at the Court of Appeals, where Judge Pigott and the other Judges of the Court heard the arguments of Cambria, Hennessy, Voos and New York City Attorney, Hal Friedman. The participants will discuss how the issues were framed in their briefs, how they prepared for oral argument, whether questions from the court surprised them, and whether, with hindsight, they wished they had handled issues differently.

BANKRUPTCY

A Review of Major Changes to the Bankruptcy Petition & Official Forms

Product Code 2253

Presented on December 11, 2015 • 2.0 CLE Credits: Areas of Professional Practice

CD or DVD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members
(**PROMO CODE:** member2017), \$100 Non-Members

As of December 1, 2015, most of the official bankruptcy forms will be revised, replaced, and renumbered as part of the forms modernization project undertaken by the Advisory Committee on Bankruptcy Rules. This CLE reviews the significant changes to those forms.

New Bankruptcy and Money Judgment Exemptions

Product Code 2171

Presented on February 16, 2011 • 1.0 CLE Credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members

New York's law exempting assets from execution and seizure in bankruptcy proceedings and judgment enforcement changed on January 21, 2011. Paul Pocheban reviews the new exemptions available to bankruptcy and judgment debtors, along with the new option of claiming federal exemptions in New York bankruptcies. William Savino speaks on Using Life Insurance and

Annuities as another vehicle to protect clients. This program was sponsored by the Commercial and Bankruptcy Law Committee.

Significant Bankruptcy Decisions in the Western District of New York

Product Code 2206

Presented on Saturday December 1, 2012 • 3.0 CLE credits: Areas of Professional Practice

CD: \$80 BAEC Members, \$120 Non-Members

In this seminar, you will hear from some of the preeminent bankruptcy experts in Western New York — including the judges who decide the cases. The seminar will cover many of the more important issues ruled upon by the Court.

The cases will be presented by the esteemed panel, followed by commentary by the judges who decided the cases. This seminar will be invaluable to any attorney who practices in the areas of bankruptcy law, secured transactions, real estate and business planning.

BILLING

Getting Paid: A Series on Ethics and Practice Management Issues

Product Codes 2190, 2191 and 2192

Presented on April 4, April 11 and May 16, 2012

Entire Series — 6.0 CLE Credits: 3.0 Ethics, 3.0 Law Practice Management Each Session separately — 2.0 CLE Credits: 1.0 Ethics, 1.0 Law Practice Management

CD: To purchase entire series: \$115 BAEC Members, \$160 Non-Members. To purchase per session: \$55 BAEC Members, \$90 Non-Members (please specify which part by product code when ordering)

#2190 — On April 4, 2012, Allison Shields of Legal Ease Consulting presented Retainers & Billing which is the first session of our 3 part Getting Paid Series.

#2191 — On April 11, 2012, William Ilecki of Chiari and Ilecki spoke on Collections and April Orłowski of William Mattar's Office covered Retaining & Charging Liens. This is the second session of our 3 part Getting Paid Series.

#2192 — On May 16, 2012, the third and final segment of our Getting Paid Series was presented by Deanne Tripi. She covered Grievances & Fee Disputes.

CERTIFIED TRAINING PROGRAMS

Court Certified Article 81 Training

Product Code 2226

Presented on June 5, 2014 • 6.0 CLE credits: 1.0 Ethics, 4.0 Areas of Professional Practice, 1.0 Skills

CD or DVD: \$115 BAEC Members, \$160 Non-Members

This program meets the legal requirements certified by the NYS Office of Court Administration Guardian and Fiduciary Services; therefore, all participants of this program are eligible for enrollment on the list of the Chief Administrator, pursuant to Part 36 of the Rules of the Chief

Judge, in the category of “Guardian, Court Evaluator, and Attorney for Alleged Incapacitated Person.”

This program takes a functional approach to determining whether an alleged incapacitated person requires a guardian and places a premium on employing the least restrictive intervention to preserve independence and self-determination. Article 81 requires the appointment of a court evaluator in all cases to determine the functional strengths and weaknesses of the alleged incapacitated person, to explain the court proceedings and to advise the person of his or her rights, including the right to counsel. The authority and powers of the guardian are then tailored to the specific needs of the incapacitated person and may be reduced or increased over time as the person's needs change. You'll hear from attorneys, court representatives and others with expertise in this important area of practice.

Part 36 Receivership Training

Product Code 2255

Presented on December 16, 2015 • 3.0 CLE Credits: 0.5 Ethics, 2.0 Areas of Professional Practice, 0.5 Skills

CD or DVD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members (**PROMO CODE:** member2017), \$130 Non-Members

This 3 hour program provides an overview of the types of situations in which a receiver is available; instructions on applying for and obtaining a receiver; and the compensation, duties, and powers of a receiver in various contexts.

This seminar is important for individuals interested in receiving training to serve as court-appointed receivers. Attorneys working in a practice area in which the appointment of a receiver may be a necessary or helpful provisional remedy, such as mortgage foreclosures, creditors' enforcement actions and corporate dissolutions, will also find this useful.

Referee's Powers and Duties in a Foreclosure Sale

Product Code 2236

Presented on April 22, 2015 • 1.0 CLE Credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members

This informative program explains the referee's role in real estate foreclosures. Attorney Franklin W. Heller addresses the statutory mandate of appointment of referee, when and how a referee is appointed, and what the court reviews and determines prior to the appointment of a referee.

Surrogate's Court Guardian Ad Litem 2016

Product Code 2264

Presented on May 25, 2016 • 4.5 CLE credits: 0.5 Ethics, 2.5 Areas of Professional Practice, 1.5 Skills

CD or DVD: \$100 BAEC Members, \$140 Non-Members, **ON-DEMAND:** \$105 BAEC Members (**PROMO CODE:** member2017), \$150 Non-Members

This program is designed to provide the information necessary to allow a participating attorney to qualify as a Guardian Ad Litem in Surrogate's Courts proceeding by providing the attendee with information concerning Part 36 and the duties of a Guardian Ad Litem in various types of Surrogate's Court Proceedings.

During this program you will learn what you need to be aware of with respect to Part 36 of the NYCRR, the required forms and appointment process. In addition, you will be instructed as to your obligations as a Guardian Ad Litem in various types of proceedings.

CIVIL PRACTICE

2016 Update on NYS Civil Practice and Procedure

Product Code 2268

Presented on September 9, 2016 • 3.0 CLE credits: Areas of Professional Practice

CD or DVD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members

(PROMO

CODE: member2017), \$130 Non-Members

This half-day seminar, presented by Brian D. Gwitt and William F. Savino of Woods, Oviatt Gilman LLP, covers salient changes in statutory and case law from 2015-2016 pertaining to civil practice in New York State, with a particular emphasis on decisions emanating from the Fourth Department. The lectures and course materials cover a wide array of issues under the CPLR, including jurisdiction, statute of limitations, service and dispositive motions.

CRIMINAL LAW

An Overview of Traffic Procedures

Product Code 2245

Presented on October 15, 2015 • 1.0 CLE credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 BAEC Members (**PROMO**

CODE: member2017), \$50 Non-Members

Speaker, Michael S. Deal, Esq., of DeMarie, Schoenborn & Betz, PC covers the following topics: Practical Approaches, Pleadings, Special Issues, Traffic Violations Bureaus, the New Buffalo Traffic Violations Agency

Breathalyzer Refusals: Confounding Choices and Consequences

Product Code 2118

Presented on October 17, 2007 • 1.0 CLE Credit: Law Practice Management

CD: \$30 BAEC Members, \$40 Non-Members

Effectively defending DWI clients requires a mastery of breathalyzer refusal proceedings and consequences. This program analyzes the refusal scenarios and how to evaluate critical factors involving the client, case, consequences and court. In some cases, failure waiving a hearing may cause disappointment and disaster for both client and counsel.

Defending the DWI Defendant: From the Basics through Recent Developments

Product Code 2188

Presented on December 2, 2011 • 4.5 CLE Credits: 1.0 Ethics, 3.5 Skills

CD: \$100 BAEC Members, \$140 Non-Members

Topics covered during the seminar include:

Getting Your Client Through it all: From the Late Night Phone Call Through License Restoration; DWI Statutory and Case Law Update; Direct and Collateral Consequences of DWI; Defending the DWI: Motion Practice; and Ethical Representation of Your Client.

DWI: Practical Tips and Traps

Product Code 2242

Presented on September 24, 2015 • 1.0 CLE credit: Skills

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Member (**PROMO CODE:** member2017), \$50 Non-Member

This session covers breathe test instruments, chemical testing, and trial issues regarding chemical tests.

DWI: Practical Tips and Traps – Refresher Overview of the 2012 DMV Regulations, Case Law Update and Various Trial Issues

Product Code 2271

Presented on September 22, 2016 • 1.0 CLE credit: 0.5 Areas of Professional Practice, 0.5 Skills

CD or DVD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Member (**PROMO CODE:** member2017), \$50 Non-Member

Michael Anthony Rossi and Nicholas Michael Rossi of the Rossi Law Firm give a brief overview/refresher of the 2012 DMV regulations, Case Law Update and Various Trial Issues.

Federal Criminal CLE

Product Code 2259

Presented on February 26, 2016 • 3.0 CLE Credits: 1.0 Ethics, 2.0 Areas of Professional Practice

CD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members (**PROMO CODE:** member2017), \$130 Non-Members

Topics covered in this recording of the Federal Criminal CLE:

Federal Criminal Court Primer for the State Court Practitioner, NYS Parole Revocations Implications, and Fundamental Ethical Considerations for Criminal Defense.

Mandatory DWI Interlock Ignition: Triggers and Technology

Product Code 2156

Presented on February 24, 2010 • 1.0 CLE Credit: Skills

DVD: \$30 BAEC Members, \$40 Non-Members

Effective representation in DWI cases requires evaluation of charge and sentence enhancers. Topics covered in presentations and handouts include: Interlock sentencing, Interlock expenses, Interlock for employee vehicles and Conditional Discharge vs. Probation licensing issues.

Failure to evaluate and advise clients concerning collateral sentencing consequences may cause disappointment, dissatisfaction and disaster for client and counsel.

Sentencing in State Court

Product Code 2196

Presented on June 1, 2012 • 7.0 CLE Credits: 4.0 Areas of Professional Practice, 3.0 Skills

CD: \$125 BAEC Members, \$170 Non-Members

Topics covered in this seminar are:

Making the Best of a Bad Situation; Plea Negotiations, Pre-Sentence Investigations, and SORA Considerations; Pre-Sentence Memoranda: Preparation and Use; Drug Sentences in New York; State Sentencing Guidelines; Certificates of Relief from Civil Disabilities; Alternatives to Incarceration; Immigration Issues; and Treatment Court.

The Art of Cross Examination in DWI Cases

Product Code 2146

Presented on June 25, 2009 • 1.0 CLE Credit: Skills

CD or DVD: \$30 BAEC Members, \$40 Non-Members

Effective cross-examination in DWI cases requires evaluation of factual and legal defenses. Topics covered in presentation and handouts include: Cross-examining civilian witnesses, Cross-examining arresting officers, Cross-examining chemical test operators, and Cross-examining hostile witnesses.

Failure to perform effective cross-examination may cause disappointment, dissatisfaction and disaster for client and counsel.

EDUCATION LAW

Education Law: Rights of Students with Disabilities

Product Code 2153

Presented on January 15, 2010 • 4.5 CLE Credits: 3.5 Law Practice Management/ Professional Practice, 1.0 Skills

CD: \$100 BAEC Members, \$140 Non-Members

Presented by Ralph Gerstein, this program provides counsel with a road map of the laws governing students with disabilities. The program includes the substantive elements of the Individuals with Disabilities Education Act (covering the K-12 years), the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. The latter two statutes cover not only elementary and secondary school students but also college and graduate students. The program will help the practitioner determine whether the client has a viable case. In addition, it will cover the procedural aspects of enforcing the client's rights, and collecting attorneys' fees.

ELDER LAW

Practicing Elder Law — Now That the Dust of the DRA Has Settled

Product Code 2143

Presented on April 24, 2009 • 6.5 CLE Credits: 5.5 Law Practice Management/
Professional Practice, 1.0 Skills

CD: \$120 BAEC Members, \$165 Non-Members

This seminar will provide an overview of the Elder Law legal landscape three years after the enactment of the D.R.A. The seminar will consist of three member panels who will provide an overview of the topic areas and then a round table discussion with questions and answers during each session. The four three- member panels will cover Community Based Programs such as CASA, Long Term Home Health Care, TBI Program and the Nursing Home Diversion Program; Skilled Nursing Medicaid — including effective planning tools and a Practical Case Study that will explore a variety of planning options in a nuts and bolts presentation and recent and proposed developments in the field of Elder Law including an in-depth analysis of the new Power of Attorney, recent cases and proposed and/or pending legislation.

The New Power of Attorney Law

Product Code 2166

Presented on September 10, 2010 • 3.0 CLE Credits: Skills

CD: \$80 BAEC Members, \$120 Non-Members

The New Power of Attorney law adopted in September, 2009 has undergone major revisions which will become effective in September, 2010. This program will provide a detailed overview of the plethora of procedural and substantive changes to the Power of Attorney Law. A hard copy of the New Power of Attorney and Statutory Gifts Rider forms will be included in the materials. The CLE will discuss the changes to the law and walk attendees through the new forms. This CLE is recommended for all attorneys who prepare Powers of Attorney for clients in the course of their practice.

The Role of Caregivers in Successful Aging

Product Code 2215

Presented on October 30, 2013 • 1.5 CLE credits: 1.0 Areas of Professional Practice, 0.5 Skills

CD: \$40 BAEC Members, \$50 Non-Members

An estimated 10 million Americans are considered to be part of the “Sandwich Generation” — taking care of children and their aging parents at the same time. The cost to individuals can be high in terms of increased stress and negative implications on their jobs and personal lives. The costs are also high for employers: US businesses have lost between \$11.4 billion and \$29 billion in retention, absenteeism and productivity due to elder care giving.

Many caregivers are unaware of the options available to plan for the legal, financial and healthcare needs of their loved ones that can help them manage their caregiver roles more effectively.

Charles Beinhauer is a senior partner in the law firm Pfalzgraf, Beinhauer & Menzies, the only law firm in Western New York focused solely on elder care and age-related planning. Charles shares valuable information about issues of concern to many seniors and their caregivers to help reduce stress, worry and lost productivity that results from caring for elderly family members

including:

Do my loved ones have the right plan for their future needs?

Do they have the right documents to carry out their wishes?

How can my loved ones plan to stay in their home? If remaining at home is not possible, what are other options?

How much will it cost for care?

Participants will receive an overview of the information and documents necessary to put together a successful plan and learn about the various levels of care, how much they cost, and who will pay for them.

ENVIRONMENTAL LAW

Watch for new programs to be added to this category.

ETHICS

An Ethical Year in Review and the Ethics of Social Media

Product Code 2232

Presented on January 30, 2015 • 3.0 CLE Credits: Ethics

CD: \$80 BAEC Members, \$120 Non-Members

Judge Michael Mohun, Douglas Heath, David Nelson and Roderick Ouebral provide an overview of the Eighth Judicial District attorney grievance committee.

This program also includes a review of ethics decisions from 2014 by Roderick Ouebral. Nicole Black covers social media and its ethical issues.

New York Rules of Professional Conduct

Product Code 2141

Presented on March 20, 2009 • 3.5 CLE Credits: Ethics

CD: \$85 BAEC Members, \$125 Non-Members

In December of 2008, the Chief Judge of the Court of Appeals and the four Presiding Justices of the Appellate Divisions announced a very important change in the ethics rules applicable to New York lawyers. They decided to replace the Code of Professional Responsibility (which was first adopted nearly 40 years ago) with new Rules of Professional Conduct. This change became effective on April 1, 2009. The new rules add many provisions that are not in the existing disciplinary rules; they revise many of the existing rules in material respects; and they use a completely different organizational structure. To assist you in becoming familiar with the changes introduced in these new Rules of Professional Conduct, the Professional Ethics Committee of the Bar Association of Erie County present this important and timely seminar. Panelists include attorneys Thomas S. Wiswall, David L. Edmunds, Jr., Cheryl Smith Fisher, Ralph L. Halpern and Patricia L. Morgan.

Nice Lawyers Finish First

Product Code 2185

Presented on August 10, 2011 • 2.0 CLE Credits: Ethics

CD: \$55 BAEC Members, \$90 Non-Members

Increasingly, lawyer civility and congeniality is becoming a thing of the past. Yet, it doesn't have to be that way. Civil litigation need not lead to all-out civil war. As legal professionals, lawyers have an obligation to act just that way — professionally. In this humorous presentation, veteran attorney and legal humorist Sean Carter will remind you that zealous advocacy does not require you to be a zealot. It's possible to be courteous, kind, accommodating and effective. In fact, for the continued well-being of the profession (and yourself), its necessary.

In particular, Mr. Carter will discuss practical ways to: reduce the hostility in interactions with even the most difficult opposing counsel; increase camaraderie among colleagues; diffuse tensions among warring clients; secure accommodations from opposing counsel; structure more mutually beneficial arrangements with clients; and much more.

The Ethy Awards: 2015 Edition - The Best of the Worst Ethics Violations

Product Code 2243

Presented on September 30, 2015 • 2.0 CLE credits: Ethics

CD or DVD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 BAEC Members
(PROMO CODE: member2017), \$100 Non-Members

Each year at our annual Ethy Awards, America's foremost legal humorist recaps the best of the worst ethics violations from the year. In doing so, he explains the specific ethics violation, discusses how we can avoid similar outcomes in our practice of law, and awards the Ethy to the "winner" in each of the following categories:

- The Outlaw(yer) Award (Violations of Rule 8.4 – Misconduct – Criminal Acts)
- Most Creative Billing (Violations of Rule 1.5 – Fees)
- The Houdini Award (Violations of Rule 1.15 – Safekeeping property)
- Best Supporting Actor In a Criminal Enterprise (Violations of Rule 8.4 – Misconduct)
- The AT&T Award (Violations of Rule 1.4 – Communication)
- The Joan Rivers Award (Violations of Rule 1.6 – Confidentiality)
- Least Competent in a Legal Representation (Violations of Rule 1.1 – Competence and Rule 1.3 – Diligence)

- Best use of Deception in Legal Marketing (Violations of Rule 7.1 – Advertising, Rule 7.4 – Identification of Practice and Specialty, and rule 7.5 – Professional Notices, Letterheads and Signs)
- Worst Love Scene (Violations of Rules 1.7 & 1.8 – Conflicts of Interest)
- The Lifetime Achievement Award (Amazing compilations of ethics violations by one attorney)

The Ethy Awards: 2015 Edition - Lawyers Behaving Badly

Product Code 2244

Presented on September 30, 2015 • 2.0 CLE credits: Ethics

CD or DVD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 BAEC Members
(PROMO CODE: member2017), \$100 Non-Members

In this off-beat “awards” program, America’s funniest lawyer examines attorney misbehavior in light of our obligations to behave professionally and civilly. Using the New York Rules of Professional Conduct and New York Standards of Civility as guides for appropriate behavior, he will explain where these lawyers went wrong, provide tips to help you avoid being a nominee in the 2016 Ethy Awards, and announce the winners in the following categories:

- Most Over-animated Courtroom Outburst (Breaches of courtroom decorum)
- The Pit Bull Award (Vexatious conduct)
- Worst Legal Strategy (Dubious litigation tactics)
- Miss (Mister) Uncongeniality (Acts of rudeness and disrespect)
- The Archie Bunker Award (Exhibiting racial, gender and other biases)
- Critic’s Choice Award (Improper criticism of judges)
- Worst Temper in a Non-Legal Setting (Acts of violence outside the practice of law)
- Most Impaired in a Legal Setting (Using intoxicating substances in the practice of law)
- Most Impaired in a Non-legal Setting (Substance abuse outside the practice of law)
- The Hitchcock Award (Misconduct that surprisingly resulted in bar discipline)

The Ten Commandments of Legal Ethics — Thou Shalt Not Lie, Cheat & Steal

Product Code 2184

Presented on August 10, 2011 • 2.0 CLE Credits: Ethics

CD: \$55 BAEC Members, \$90 Non-Members

In this off-beat “sermonar,” Humorist at Law Sean Carter demonstrates that, contrary to popular option, legal ethics is not an oxymoron, unlike, say, jumbo shrimp, military intelligence or happily married. There are very basic things that a lawyer must do (and must not do) in order to avoid ethical problems. These "commandments" cover the most essential duties of a lawyer, such as Thou Shalt Not Lie, Thou Shalt Not Steal, Thou Shalt Call Thy Client Backeth, etc. In addition to setting forth the 10 Commandments of Legal Ethics, Mr. Carter employs hilarious stories and witty one-liners to demonstrate how to avoid the common mindsets that lie at the root of unethical attorney behavior.

Tough Ethics Issues That Matter to You and to Attorneys You Know

Product Code 2169

Presented on December 10, 2010 • 3.0 CLE Credits: Ethics

CD: \$80 BAEC Members, \$120 Non-Members

Certain issues of legal ethics come up over and over again. Many involve the impact of the Rules of Professional Conduct on the business operations of a law office, such as the handling of funds, the retention and disposal of records and client files, and the marketing of legal services. Other common issues concern the lawyer's obligations to preserve client confidences and to avoid conflicts of interest. The purpose of this course is to address some of the frequently asked questions on these topics that have been presented to the Bar Association's Committee on Professional Ethics.

Yelp, I've Fallen for Social Media and I Can't Get Out

Product Code 2231

Presented on October 1, 2014 • 2.0 CLE Credits: Ethics

CD and DVD: \$55 BAEC Members, \$90 Non-Members

Facebook, Twitter, LinkedIn and other social media tools have become ubiquitous in our high tech society. And while social media can undoubtedly help lawyers to enhance their network of colleagues, clients and prospective clients, it can also ensnare the unwary in a web of ethical violations. So set your Outlook calendar, post the date on your Facebook wall and get ready to be “linked in” with your colleagues from across the county as we take an in-depth look at the ethics rules, bar opinions and real-life disciplinary case studies as they relate to social media. As always, Sean Carter will use the quick wit that has made him a favorite CLE presenter in more than 40 state to make you “Yelp” with laughter while showing you how to stay Four Square within your ethical boundaries.

FAMILY LAW

Dynamic Family Defense: Asserting Clients Rights in Challenging Circumstances

Product Code 2238

Presented on May 15, 2015 • 4.0 CLE credits: Areas of Professional Practice

CD: \$95 BAEC Members, \$135 Non-Members

Topics discussed in this CLE presented by the Practice and Procedure in Family Court Committee: Know Your Rights: Protecting Parental Rights While Incarcerated; Defending against Sexual Abuse Allegations; and the Rights of Non Respondent Parents in Article 10 Proceedings.

Everything You Wanted to Know About QDRO's (But Were Afraid to Ask)

Product Code 2203

Presented on October 18, 2012 • 4.0 CLE credits: 2.0 Areas of Professional Practice, 2.0 Skills

CD: \$95 BAEC Members, \$135 Non-Members

The Matrimonial and Family Law Committee, formerly chaired by Catherine Nagel, welcomes you to this informative program that provides an overview of Qualified Domestic Relations Orders, or QDRO's. You'll learn the specifics of how retirement plans work from Raymond Barr of Phillips Lytle and Kelly Zarcone of Zarcone Associates.

Other topics covered in detail include:

Dividing IRA benefits; pension options and benefits for government plans; retirement plan discovery; separation agreements; and post-divorce follow-up and estate planning considerations.

Holly Baum joins Raymond Barr and Kelly Zarcone for a roundtable discussion to conclude the program.

How to Get It, How to Use It: Elements of Discovery in Family Court and Matrimonial Court Practice

Product Code 2110

Presented on April 27, 2007 • 7.5 CLE Credits: 6.5 Law Practice Management,
1.0 Ethics

CD: \$130 BAEC Members, \$175 Non-Members

Presented by knowledgeable Erie County attorneys, judges and experts with special knowledge of these areas of increasing importance in both Family and Supreme Court, this noteworthy program explores the elements of discovery that are essential for today's family law practitioner to master. Among the key areas that this program addresses are tape recordings, key capture, criminal records, reputation evidence, wiretapping and subpoena powers.

The seminar concludes with a panel discussion and role-play on the presentation of evidence in court.

New Maintenance Guidelines

Product Code 2250

Presented on November 19, 2015 • 2.0 CLE Credits: Areas of Professional Practice

CD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members (**PROMO**

CODE: member2017), \$100 Non-Members

On September 25, 2015, Andrew Cuomo signed into law the Maintenance Guidelines Legislation, which makes major amendments to New York's Domestic Relations Law and the Family Court Act in enacting new guidelines for both temporary and post-divorce maintenance and spousal support.

The Matrimonial and Family Law Committee of the BAEC organized this two-hour presentation to provide you with a timely review of the legislation's features so you are prepared to deal with the provisions of this legislation in your matrimonial cases.

The New No-Fault Divorce Law

Product Code 2172

Presented on February 23, 2011 • 1.0 CLE Credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members

Presented by Melissa Cavagnaro under the auspices of the Young Lawyer's Committee of the Bar Association, this lecture covers the new no-fault divorce law, temporary maintenance provisions and the new child support re-calculation provisions.

Status Offenses, PINS Petitions, and Article 7 of the Family Court Act

Product Code 2265

Presented on June 17, 2016 • 1.5 CLE Credits: Skills

CD: \$40 BAEC Members, \$50 Non-Members, **ON DEMAND:** \$45 Members (**PROMO**

CODE: member2017), \$60 Non-Members

Retired Family Court Judicial Hearing Officer, Judge Paul Buchanan presents this informative program, organized by the Practice and Procedure in Family Court Committee Chair, Bernadette

Hoppe.

The Professional Face of Domestic Violence

Product Code 2142

Presented on April 15, 2009 • 4.0 CLE Credits: Law Practice Management/ Professional Practice
CD or DVD: \$95 BAEC Members, \$135 Non-Members

At the conclusion of the program, participants will better understand the increasing incidence of domestic violence through statistical review, cultural barriers which may negate disclosure by a patient, the psychological and clinical picture of the perpetrator and the victim, NY S Law reporting requirements, NYS Law medical record documentation, and the legal resources and agencies available. You will also be better able to screen for, or identify victims of domestic violence.

FEDERAL PRACTICE

Federal Criminal CLE

Product Code 2259

Presented on February 26, 2016 • 3.0 CLE Credits: 1.0 Ethics, 2.0 Areas of Professional Practice
CD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members (**PROMO CODE:** member2017), \$130 Non-Members

Topics covered in this recording of the Federal Criminal CLE:
Federal Criminal Court Primer for the State Court Practitioner, NYS Parole Revocations Implications, and Fundamental Ethical Considerations for Criminal Defense.

Federal Removal and Remand for State Court Practitioners

Product Code 2263

Presented on May 6, 2016 • 2.0 CLE Credits: 1.5 Areas of Professional Practice, 0.5 Skills
CD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members (**PROMO CODE:** member2017), \$100 Non-Members

This program covers the following topics:

- What is Removal?
 - Why Do Defense Attorneys Remove Cases?
 - What Kinds of Cases Can Be Removed?
 - Requirements for Diversity Jurisdiction
 - How Removal Happens
 - Remand: How Do I Get Back to State Court?
 - Common Issues Affecting Remand that Plaintiffs' Attorneys Can Consider
 - What If I Win My Remand Motion?
 - What If I Lose My Remand Motion?
-

Hitchhiker's Guide to the (Federal) Galaxy: Practice in U.S. District Court for the Western District of New York

Product Code 2109

Presented on March 30, 2007 • 4.5 CLE Credits: 3.5 Law Practice Management, 1.0 Skills

CD: \$100 BAEC Members, \$140 Non-Members

This program is designed as a guide to practices and procedures in federal court. It is intended for experienced civil practitioners who are generally comfortable in state court, but who are less familiar with federal practice and procedure and may be a bit apprehensive about appearing in federal court.

Learn what to expect and what is expected of you when commencing and litigating a civil case in federal court; key differences between federal and state court civil practice; procedural preferences and requirements for individual judges. Sample forms for the entire process and Web site addresses are provided in the course materials.

IMMIGRATION LAW

Americans in Canada: Cottaging, Traveling or Working

Product Code 2138

Presented on February 12, 2009 • 4.5 CLE Credits: 3.5 Law Practice Management/Professional Practice, 1.0 Skills

CD: \$100 BAEC Members, \$140 Non-Members

This seminar, presented by Richard Halinda provides an overview of issues for Americans in regards to buying, selling and renting real estate, estate probate matters, estate planning techniques, taxation issues, driving infractions, border crossing rules, business and employment issues in Ontario.

Asylee and Refugee Border Developments

Product Code 2205

Presented on November 21, 2012 • 1.0 CLE Credit: Areas of Professional Practice

DVD: \$30 BAEC Members, \$40 Non-Members

Speakers Michael E. Marszalkowski and Jennifer L. Rizzo speak on how to represent refugees in immigration court. You will learn how to handle an asylum case, special issues for Northern border lawyers and developments in Canada that affect our refugees.

Obama's Immigration Executive Orders

Product Code 2235

Presented on March 25, 2015 • 1.0 CLE Credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members

The Erie Institute of Law and the Buffalo Chapter of the American Immigration Lawyers Association present President Obama's Executive Orders on Immigration.

Tax and Finance as it Touches Our Northern Border Immigration Clients

Product Code 2207

Presented on Wednesday, January 16, 2013 • 1.5 CLE credits: 1.5 Areas of Professional Practice
DVD: \$40 BAEC Members, \$50 Non-Members

In this seminar, you will learn how to:

Enhance your law or accounting practice: flag tax issues, Work with an accountant and banker to make the international transfer work, Discover surprising financial tools available: financing, lockbox, mortgage availability for non-immigrants, cross-border distribution of bank accounts, Answer first questions from foreign guests: Income, payroll, estate tax, Choose a cross-border corporate organizational structure.

Select the right visa: that choice can change everything, Acquire knowledge to advise clients about Expatriation: abandoning dual citizenship can trigger severe immigration and tax sanctions, Advise clients as to the tax liability of a previously unseen claim to dual citizenship, Use special northern border opportunities and pitfalls.

The panel includes Canada/U.S. accountant specialists Brent Soucie, CA Manager, U.S. and Expatriate Tax and Jason Ubeika, CA, CPA (Illinois), Associate, U.S. Tax, both of BDO Canada; Penny Beckwith, Vice President, Relationship Manager, Canada/USA Cross Border Banking, HSBC, Buffalo, and Joseph C. Grasmick, AILA Chapter Vice Chair.

INTELLECTUAL PROPERTY

Hackers, Breaches & Spies: Privacy and Security in the Digital Age

Product Code 2223

Presented on April 11, 2014 • 4.5 CLE credits: 0.5 Ethics, 3.5 Areas of Professional Practice, 0.5 Law Practice Management

CD or DVD: \$100 BAEC Members, \$140 Non-Members

As highlighted by the recent bevy of hacking, spying, and breach-related headlines, security and privacy in the digital age are topics that everyone must take seriously, and attorneys doubly so. Between counseling clients on precautions they should take and ensuring that their own computers and privileged information aren't compromised, every attorney needs to be an expert in what to do, and more importantly, what not to do, to stay safe. The presenters at this seminar will discuss what regulations are out there, and what steps you can take to ensure that you and your clients are as safe as possible.

Still A'Twitter Over Facebook? More on Social Networking Every Lawyer Should Know

Product Code 2173

Presented on March 25, 2011 • 4.5 CLE Credits: 0.5 Ethics, 2.0 Areas of Professional Practice, 1.0 Law Practice Management, 1.0 Skills

DVD: \$100 BAEC Members, \$140 Non-Members

The universe of online social networking is exploding. Lawyers have a greater than ever need to know how to advise clients across a broad spectrum of legal practice. This seminar is designed to provide solid information about the technology basics behind Facebook, Twitter, Foursquare, blogging and others. Speakers will also address intellectual property and privacy issues and providing insight into the realms of family law, employment law, criminal law, education law, and forensics. Ethical and discovery issues in social media litigation will also be explored.

LABOR AND EMPLOYMENT LAW

Labor and Employment Law Symposium

Product Code 2224

Presented on May 9, 2014 • 5.0 CLE credits: 1.0 Ethics, 3.0 Areas of Professional Practice, 1.0 Skills

CD: \$105 BAEC Members, \$150 Non-Members

To help address changes in employment laws and regulations, the Labor Law Committee presents the Labor and Employment Law Symposium. Ethical pitfalls, Revisions to Section 193 of the NYS Labor Law, the National Labor Relations Act in the Non-Union Workplace, An Update on the PPACA, Burdens of Proof in Title VII, ADEA and ADA Cases, and Effective Preparation and Representation of Clients in Employment Discrimination Mediation are some of the topics covered in this program.

PERSONAL INJURY

Admissibility of Medical Records at Trial: The Fundamentals

Product Code 2248

Presented on October 28, 2015 • 1.0 CLE Credit: Skills

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$35 Members (**PROMO CODE:** member2017), \$45 Non-Members

Speaker, Hon. John M. Curran presents Admissibility of Medical Records at Trial.

Deposition Basics in Personal Injury Litigation

Product Code 2261

Presented on March 22, 2016 • 2.0 CLE Credits: Areas of Professional Practice

CD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members (**PROMO CODE:** member2017), \$100 Non-Members

Hear from highly knowledgeable presenters Michael Chmiel and Ashley Trank about Deposition Basics in Personal Injury Litigation.

Domestic Animal Owner Liability in the Fourth Department

Product Code 2269

Presented on September 15, 2016 • 1.0 CLE Credit: Areas of Professional Practice

CD or DVD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO CODE:** member2017), \$50 Non-Members

Venture through the records on appeal from recent Fourth Department decisions concerning the liability of owners of domestic animals, from horses to canines.

Nuts and Bolts of New York Construction Accident Law

Product Code 2181

Presented on June 23, 2011 • 3.0 CLE Credits: Areas of Professional Practice
CD: \$80 BAEC Members, \$120 Non-Members

Presented by Daniel Santola, Esq. of Powers & Santola, LLP, Nuts and Bolts of New York Construction Accident Law covers the following topics:

A Brief History of New York Construction Law; Recent Decisions and Developing Trends; What Type of Work Section 240 Covers; Work Associated with, or an Integral Part of, a Covered Activity; Building or Structure; The Class of People Covered Under §240; Who is Responsible Under §240 — Contractors and Owners and Their Agents; Procedural Issues; Proximate Cause; Adequacy of the Safety Device; Superseding Cause; When Does a §241 (6) Apply?; Defenses Under §240 and §241; Liability Over: Indemnification/Contribution; Pre-emption of Federal Admiralty Law; Section 241-a: Liability and; Section 202: Window Washer Statute.

Settling Your Personal Injury Case and Sleeping at Night 2012

Product Code 2197

Presented on June 14, 2012 • 8.0 CLE Credits: 1.0 Ethics, 4.0 Areas of Professional Practice, 1.0 Law Practice Management, 2.0 Skills

CD: \$135 BAEC Members, \$180 Non-Members

This experienced, expert panel of speakers presents comprehensive solutions on how to best combat claims as the settlement proceeds. The seminar will serve as a guide to the resolution of problems and issues impacting the settlement of personal injury cases, such as liens, public benefits and private subrogation claims.

The program not only raises the following the questions:

Which claims against the settlement proceeds are valid?

What claims is your client required to reimburse?

Can you preserve some public benefits for your client and still accept the settlement?

How can you safeguard your client's settlement funds from dissipation risks and reduce your potential exposure for failing to advise them of such an option?

Furthermore, the seminar will address with specificity which claims against the settlement proceeds are valid. The seminar will provide the answers, including an update on the recent developments as to lien laws and subrogation claims, including, Medicare Conditional Payments; Medicare Set-Asides, Medicare Advantage Plans; Self-Funded ERISA Health Insurance Plans; and Medicaid, and the manner to address the restrictions imposed by various state and federal public benefit laws.

PRACTICE MANAGEMENT

A Terrible Melancholy: Depression in the Legal Profession

Product Code 2165

Documentary created 2010 • 0.5 CLE Credit: Ethics

DVD: *No charge, must view at the Bar Association of Erie County if seeking CLE credit.*

“A Terrible Melancholy: Depression in the Legal Profession,” an original documentary film

produced by Buffalo attorney Daniel T. Lukasik and the first of its kind in the nation, was recently completed and is now being widely distributed, beginning in Erie County.

Depression has long been a serious concern for the legal profession. The documentary's title is based on a book about the life of President Lincoln.

A renowned trial lawyer before becoming president, Lincoln suffered from depression his entire life. The film features four lawyers and a former judge discussing their personal experiences with the illness, along with several national experts on the subject. It is intended to provide hope and resources to those who may be suffering in silence.

The 30-minute documentary was made possible by generous grants from the Erie County Bar Foundation, the New York Lawyer Assistance Trust and the Margaret B. Wendt Foundation. Lukasik served as executive producer and the BAEC Committee to Assist Lawyers with Depression that he chairs assisted in the planning and production.

Balancing Life and Law: Strategies for Managing Stress

Product Code 2145

Presented on May 1, 2009 • 4.0 CLE Credits: 3.0 Law Practice Management/ Professional Practice, 1.0 Ethics

CD or DVD: \$95 BAEC Members, \$135 Non-Members

Practicing law is stressful. Attorneys often neglect to make managing stress a priority; this can present serious consequences. Unmanaged stress can cause or exacerbate many problems — among them burnout, addiction and depression. This CLE explores the problems of stress and strategies for dealing with stress.

Client Document Preservation and Destruction

Product Code 2222

Presented on March 28, 2014 • 3.0 CLE credits: 2.0 Ethics, 1.0 Law Practice Management

CD or DVD: \$80 BAEC Members, \$120 Non-Members

The seminar addresses what lawyers must do to preserve and protect client files and documents after a matter has been closed, and will present helpful strategies for managing legal records. Among the questions discussed are: How must I preserve a file? For how long? What can be destroyed? What must be preserved and safeguarded? Where may files be stored? How may they be destroyed, and by whom? What must I do with funds remaining in my IOLA account?

Dealing with Difficult Clients: How to Recognize, Communicate With and Manage Different Types of Clients

Product Code 2218

Presented on December 5, 2013 • 4.0 CLE credits: 1.5 Ethics, 2.0 Law Practice Management, 0.5 Skills

CD or DVD: \$95 BAEC Members, \$135 Non-Members

Participants in this CLE program will gain valuable knowledge of the skills and resolution

strategies effective in handling difficult or high conflict clients and situations. This program offers a practical approach to developing and maintaining effective and ethical relationships with clients.

Effective Lawyering: Dealing with the Stresses and Strains of Today's Law Practice

Product Code 2122

Presented on April 11, 2008 • 3.5 CLE Credits: 0.5 Ethics, 3.0 Law Practice Management/Professional Practice

CD: \$85 BAEC Members, \$125 Non-Members

The stresses and strains on lawyers today are undeniable. Many lawyers are searching for a wiser and healthier way to approach their practices. This seminar explores ways to incorporate a healthy balance into one's daily law practice. Lawyers struggle with depression at a disproportionate rate and this program discusses the reasons why, along with ways to cope with it.

How to be a More Effective Law Firm Leader

Product Code 2204

Presented on October 23, 2012 • 2.0 CLE Credits: Law Practice Management

CD: \$55 BAEC Members, \$90 Non-Members

This fast-paced, interactive session will examine the important role of the managing partner and other firm leaders to initiate change, build consensus and focus attention on long-term strategic goals and objectives. Drawing on survey data collected among 700 managing partners over the past ten years, John Remsen of the Remsen Group presents what managing partners do and how they do it.

A panel of seasoned managing partners; Krista Gottlieb of Mattar, D'Agostino & Gottlieb, Peter S. Marlette of Damon Morey, and Hugh M. Russ, III of Hodgson Russ, lend their thoughts and perspectives, as well.

Most importantly, we'll provide practical guidance on how to build a more profitable, cohesive and sustainable law firm.

Media Relations for Attorneys: Going Beyond “No Comment”

Product Code 2258

Presented on February 9, 2016 • 1.5 CLE Credits: 1.0 Areas of Professional Practice, 0.5 Skills

CD: \$40 BAEC Members, \$50 Non-Members, **ON DEMAND:** \$45 Members (**PROMO**

CODE: member2017), \$60 Non-Members

This presentation focuses on effective communications in anticipation of and during litigation, media relations, television interviews and general public relations for practitioners.

Planning Ahead: Key Issues for the Lawyer Approaching Retirement

Product Code 2246

Presented on October 17, 2015 • 4.0 CLE Credits: 1.5 Ethics, 2.5 Law Practice Management

CD or DVD: \$95 BAEC Members, \$135 Non-Members, **ON DEMAND:** \$100 Members
(**PROMO CODE:** member2017), \$145 Non-Members

It's never too early to plan for retirement. This program covers the Sale of a Law Practice, Health Care Aspects of Retirement Planning, Long Term Care Insurance, Business Succession Issues, Financial Aspects of Retirement Planning, and a Checklist for Closing or Purchasing a Law Practice.

Stress, Anxiety & Depression in the Legal Profession: What's the Problem and What Can We Do About It?

Product Code 2262

Presented on April 7, 2016 • 3.0 CLE Credits: 1.0 Ethics, 2.0 Law Practice Management

DVD: \$80 BAEC Members, \$120 Non-Members, **ON DEMAND:** \$85 Members (**PROMO CODE:** member2017), \$130 Non-Members

This program explores the topics of stress, anxiety and depression in the legal profession. Learn what steps you can take to lead a happier and healthier life in the law. This program is for lawyers, judges, law students and mental health professionals who have an interest in the mental health and well-being of those in the legal profession.

REAL PROPERTY LAW

26th Annual Real Estate Conference

Product Code 2260

Presented on March 12, 2016 • 4.5 CLE Credits: 1.0 Ethics, 2.5 Areas of Professional Practice, 1.0 Skills

CD or DVD: \$100 BAEC Members, \$140 Non-Members, **ON DEMAND:** \$105 Members
(**PROMO CODE:** member2017), \$150 Non-Members

This annual seminar will provide you with up to date practical solutions for commonly encountered title problems and exciting update to local practice.

Fraud in Real Estate and Mortgage Transactions

Product Code 2168

Presented on December 1, 2010 • 6.5 CLE Credits: 1.0 Ethics, 4.0 Areas of Professional Practice, 1.5 Skills

DVD: \$120 BAEC Members, \$165 Non-Members

This program was designed for attorneys and real estate professionals who want to detect and avoid fraud in real estate and mortgage transactions. The presenters include a variety of professionals from the Buffalo Niagara Association of Realtors, The Appraisal Institute of Western New York, and the Bar Association of Erie County. Additionally, the program will present the federal and state law enforcement response to fraud in these transactions by members of some of those organizations. Presentations include descriptions of recent scams involving mortgages and foreclosures.

Sponsored by the Bar Association of Erie County, the Buffalo Niagara Association of Realtors, the Appraisal Institute WNY-Ontario Chapter and the Western New York Law Center

New York's Residential Mortgage Foreclosure Process

Product Code 2274

Presented on November 16, 2016 • 1.0 CLE Credit: Skills

CD or DVD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO CODE:** member2017), \$50 Non-Members

Governor Andrew Cuomo signed into law Chapter 73 of the Laws of New York 2016 (commonly referenced as the Zombie Foreclosure Legislation). The law, effective December 20, 2016, amends several key provisions of New York Real Property Actions and Proceedings Law. This will have a significant impact on New York's residential mortgage foreclosure process.

This lecture provides attendees with a chronological overview of the residential mortgage foreclosure process with particular emphasis on the stages impacted by the new law.

Nuts and Bolts of Residential Real Estate

Product Code 2175

Presented on April 6, 2011 • 1.0 CLE Credit: Skills

CD: \$30 BAEC Members, \$40 Non-Members

Presented by Barbara Strzemeski-Haase and the Real Property Law Committee, Nuts and Bolts of Residential Real Estate walks a practitioner through a residential real estate closing from the initial contract through closing and post-closing requirements. The seminar addresses representing both a buyer and seller and addresses what is required in representing each.

TILA-RESPA Integrated Disclosure Rule

Product Code 2249

Presented on October 29, 2015 • 1.0 CLE Credit: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO CODE:** member2017), \$50 Non-Members

The following topics are covered in this lecture:

- What is the TILA-RESPA Integrated Disclosure Rule?
- Loan Estimate
- Closing Disclosure
- Mortgage timelines and impacts
- Introducing YourLOAN Tracker
- What you can do

SURROGATE'S COURT

Brush Up Your Surrogate's Practice: A Review of Topics of Relevance

Product Code 2144

Presented on May 13, 2009 • 4.5 CLE Credits: 3.5 Law Practice Management/
Professional Practice, 1.0 Skills
CD: \$100 BAEC Members, \$140 Non-Members

The topics covered at this seminar include Discovery Proceedings, Estate Accountings, Claims Against Estates and Right of Election/Family Exemption. Presenters include attorneys Thomas F. Hewner, William D. Maldovan, Catherine E. Nagel, Mary Dee Martoche, Catherine T. Wettlaufer, Sharon L. Wick, Edward J. Markarian and Maryann Moskal.

Case Law Update from Erie County Surrogate's Court

Product Code 2257

Presented on February 4, 2016 • 1.0 CLE Credits: Areas of Professional Practice

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO**

CODE: member2017), \$50 Non-Members

This program discusses important case decisions over the past year from Erie County Surrogate's Court, as well as touches upon significant decisions in surrogate's court practice from other New York courts.

Children, Charities, Contests & Clients

Product Code 2178

Presented on June 8, 2011 • 4.5 CLE Credits: 1.0 Ethics, 3.0 Areas of Professional Practice, 0.5 Skills

CD: \$100 BAEC Members, \$140 Non-Members

This important program covers four essential areas of Surrogate's Court practice. You will hear from experienced practitioners about how best to handle issues concerning:

Children, including non-marital and adopted children; the role of the guardian ad litem; minors and beneficiaries; exempt property; virtual representation; and more.

Charities, including drafting documents for charitable beneficiaries; filing requirements, CyPres; and more. Contests, including will constructions, contested trust accounts, the impact of Hyde; and more. Clients, including letters of engagement, conflicts of interest; how best to educate clients on the legal process; the CPLR 321; and more.

Electronic Filing in New York State: Surrogate's Court in the 21st Century

Product Code 2127

Presented on June 26, 2008 • 2.0 CLE Credits: Skills

DVD: \$55 BAEC Members, \$90 Non-Members

DVDs can be rented at no charge for individuals not seeking CLE Credit.

The New York State Court System recently introduced electronic filing and service through the New York State Courts Electronic Filing System ("NYSCEF") in Erie County Surrogate's Court. Erie County is a pilot venue for e-filing in Surrogate's Court and NYSCEF is available in probate or administration proceedings, miscellaneous proceedings related thereto, and such other

proceedings as the court permits.

E-filing provides the following benefits to attorneys:

Documents can be filed in court or served 24/7 from anywhere in the world.

Court fees can be paid online by credit card at any time.

The electronic case file is accessible at anytime from anywhere, both to attorneys and self-represented parties in the case.

The system is easy to learn and use.

There are no fees to use the system other than the normal filing fees.

Documents can be printed from the file at no charge.

The system provides instantaneous e-mail notice to participating e-filers when the court issues and files a decree, order, decision or judgment in a case.

Commonly-used hardware and software are all that is required.

Attorneys and self-represented litigants must register as NYSCEF users and obtain a secure password. The simple process for doing so is explained in this program.

Getting it Right: Wrongful Death in Surrogate's Court

Product Code 2112

Presented on May 24, 2007 • 4.0 CLE Credits: 3.0 Law Practice Management, 1.0 Ethics

DVD or CD: \$95 BAEC Members, \$135 Non-Members

This program deals with the interplay of Supreme Court and Surrogate's Court in wrongful death proceedings. You will learn both procedural and substantive aspects of pursuing a wrongful death claim in these courts.

Surrogate's Court Guardian Ad Litem 2016

Product Code 2264

Presented on May 25, 2016 • 4.5 CLE credits: 0.5 Ethics, 2.5 Areas of Professional Practice, 1.5 Skills

CD or DVD: \$100 BAEC Members, \$140 Non-Members, **ON DEMAND:** \$105 BAEC Members (**PROMO CODE:** member2017), \$150 Non-Members

This program is designed to provide the information necessary to allow a participating attorney to qualify as a Guardian Ad Litem in Surrogate's Courts proceeding by providing the attendee with information concerning Part 36 and the duties of a Guardian Ad Litem in various types of Surrogate's Court Proceedings.

During this program you will learn what you need to be aware of with respect to Part 36 of the NYCRR, the required forms and appointment process. In addition, you will be instructed as to your obligations as a Guardian Ad Litem in various types of proceedings.

Wills, Trusts and Probate

Product Code 2237

Presented on May 7, 2015 • 4.0 CLE credits: 1.0 Ethics, 2.0 Areas of Professional Practice, 1.0 Skills

CD: \$95 BAEC Members, \$135 Non-Members

The Wills, Trusts and Probate program addresses estate planning, drafting and Will execution considerations to avoid problems in estate and trust administration, as well as in the probate process. The program includes a presentation on the probate process which will address the preparation of probate pleadings, probate contests and problems that a practitioner may face in getting a Will admitted to probate. The ethics portion is specific to estate and trust planning and administration issues, which are unique. The presenters focus on best practices and practice tips. The program is designed for experienced trust and estate practitioners, as well as those with less experience and those who practice in this area of law on a periodic basis.

TECHNOLOGY AND THE LAW

E-Filing in the Erie County Clerk's Office...After the Dust Has Settled, Or Up to Our Necks and Paddling!

Product Code 2217

Presented on November 20, 2013 • 1.0 CLE credit: Skills

DVD: \$30 BAEC Members, \$40 Non-Members

Now that the deadline for mandatory E-Filing has passed and we have dipped our toes in the system, come and hear a discussion on the ins-and-outs, the technical tweaks, and how electronic filing of court documents REALLY works. This discussion is NOT to be confused with E-Filing Training sessions conducted by the 8th Judicial District Officials, Andrew B. Isenberg and Daniel J. Marren, but is supplemental to those sessions.

Electronic Filing in New York State: Surrogate's Court in the 21st Century

Product Code 2127

Presented on June 26, 2008 • 2.0 CLE Credits: Skills

DVD: \$55 BAEC Members, \$90 Non-Members

DVDs can be rented at no charge for individuals not seeking CLE Credit.

The New York State Court System recently introduced electronic filing and service through the New York State Courts Electronic Filing System (“NYSCEF”) in Erie County Surrogate's Court. Erie County is a pilot venue for e-filing in Surrogate's Court and NYSCEF is available in probate or administration proceedings, miscellaneous proceedings related thereto, and such other proceedings as the court permits.

E-filing provides the following benefits to attorneys:

Documents can be filed in court or served 24/7 from anywhere in the world.

Court fees can be paid online by credit card at any time.

The electronic case file is accessible at anytime from anywhere, both to attorneys and self-represented parties in the case.

The system is easy to learn and use.

There are no fees to use the system other than the normal filing fees.

Documents can be printed from the file at no charge.

The system provides instantaneous e-mail notice to participating e-filers when the court issues and files a decree, order, decision or judgment in a case.

Commonly-used hardware and software are all that is required.

Attorneys and self-represented litigants must register as NYSCEF users and obtain a secure password. The simple process for doing so is explained in this program.

Filing Judgments in the Erie County Clerk's Office

Product Code 2220

Presented on January 22, 2014 • 1.0 CLE credit: Skills

DVD: \$30 BAEC Members, \$40 Non-Members

Congratulations! You have successfully obtained a verdict or money judgment for your client; now you need it entered and docketed in the County Clerk's Office. But how? Learn what you need to know to prepare your papers before you take up the gauntlet and walk through the doors at Actions and Proceedings... Lecture presented by Patricia L. Fulwiler, of the Erie County Clerk's Office.

Lawyers, Cloud and Mobile Computing, and Ethics

Product Code 2247

Presented on October 20, 2015 • 1.0 CLE Credit: 0.5 Ethics, 0.5 Law Practice Management

CD and DVD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40

Members (**PROMO CODE:** member2017), \$50 Non-Members

This seminar addresses the effects and ethical implications of the use of internet-based and mobile computing by attorneys in their law practices. The introduction consists of a broad overview of the concepts, including mobile computing, cloud computing and virtual law forms. Statistics regarding the broad-scale adoption of these technologies by the public and lawyers is also provided. Next, the discussion focuses on the ways that lawyers are using these technologies and the advantages of doing so. Ethical implications presented when lawyers use these tools is analyzed, and recommendations are given regarding best practices.

Sweeping Up: Getting Better Acquainted with E-Filing

Product Code 2233

Presented on February 11, 2015 • 1.0 CLE Credit: Skills

CD and DVD: \$30 BAEC Members, \$40 Non-Members

Join Patricia L. Fulwiler, Esq., Deputy County Clerk for an update on e-Filing in the Erie County Clerk's Office.

TRIAL PRACTICE

Advocacy Goes to the Movies

Product Code 2130

Presented on September 12, 2008 • 4.5 CLE Credits: 1.0 Ethics, 3.5 Skills

CD or DVD: \$100 BAEC Members, \$140 Non-Members

With the aid of movies, this seminar explores advocacy from pretrial preparation through closing argument. Trial work is theater work, and, from the movies, you can learn trial techniques for how to deliver your case theory in an interesting and convincing way that will engage your audience -

the judge and jury. With clips from 4-star films, this presentation examines the strategic and ethical do's and don'ts of advocacy as well as the principles and practical tools for successful pretrial and trial practice. Along the way, attendees will learn about the real cases that inspired many of the films.

This highly entertaining and informative seminar includes these topics:

How to develop the screen play that will guide your storytelling during pretrial and trial advocacy; how to edit out harmful information from the screen play with motions and objections; techniques for pretrial advocacy, with an emphasis on preparing and deposing witnesses; preparation and rehearsal of witnesses; how to tell the case's story, particularly during opening statement; a cross-examination methodology that works; techniques for presenting your experts and cross-examining theirs; ethical pitfalls for advocates, and the art of closing argument.

Deposition Basics in Personal Injury Litigation

Product Code 2261

Presented on March 22, 2016 • 2.0 CLE Credits: Areas of Professional Practice

CD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members (**PROMO**

CODE: member2017), \$100 Non-Members

Hear from highly knowledgeable presenters Michael Chmiel and Ashley Trank about Deposition Basics in Personal Injury Litigation.

Effective Brief Writing and Argumentation

Product Code 2126

Presented on May 8, 2008 • 4.0 CLE Credits: 1.5 Law Practice Management/

Professional Practice, 2.5 Skills

CD: \$95 BAEC Members, \$135 Non-Members

Good lawyers win cases day in and day out not because their arguments are clever and elegant, but because they are coherent, solidly grounded, and clearly communicated. In this seminar, an all-star faculty of distinguished professors and judges will hone your ability to identify and construct the sound, internally consistent arguments that win cases. You will also learn how to ground those arguments solidly and persuasively in law and fact and to communicate them with sufficient clarity to persuade a judge.

Great Cross Examinations and Techniques

Product Code 2151

Presented on October 30, 2009 • 3.5 CLE Credits: Skills

CD or DVD: \$85 BAEC Members, \$125 Non-Members

Great cross-examinations in history and on film can teach great trial techniques. They provide lessons in what works in a courtroom and what doesn't. With the aid of famous movie clips of cross-examinations and actual crosses in legendary trials, this highly engaging and instructive seminar explores the best in cross examination skills and strategies.

This seminar includes:

- How to identify and select the content for a winning cross;
 - Techniques for controlling evasive and other difficult witnesses;
 - Methods for constructing a persuasive, storytelling cross;
 - How to successfully cross-examine expert witnesses;
 - Concession-seeking cross-examinations;
 - Impeachment cross-examinations;
 - Character and conduct of the effective cross-examiner;
 - Crosses in historical trials — O. J. Simpson, Scopes, McMartin Preschool, Zacarias Maussaoui trials among others and memorable movie cross-examinations.
-

Legal Writing and Oral Argument in Civil and Criminal Cases

Product Code 2180

Presented on June 17, 2011 • 3.0 CLE Credits: 1.0 Law Practice Management, 1.0 Skills

CD: \$80 BAEC Members, \$120 Non-Members

Effective brief writing and oral argument skills are essential to compelling advocacy. These skills are well understood by NYS Court of Appeals Judge Eugene F. Pigott, Jr. and Appellate Division, Fourth Department Justice Erin M. Peradotto. Always interesting and informative, Judge Pigott and Justice Peradotto are sought after CLE lecturers. They will discuss the writing and argument methods which they find persuasive, as well as common blunders to be avoided. In addition, a panel of experienced practitioners with diverse backgrounds will provide useful nuts and bolts tips on how they approach, and carry out, the tasks of writing briefs and arguing cases. This seminar was co-presented by the Appellate Practice and Negligence Committees.

The Art of Civil Trial Advocacy

Product Code 2149

Presented on September 25, 2009 • 7.5 CLE Credits: 0.5 Ethics, 1.0 Law Practice Management/Professional Practice, 6.0 Skills

CD or DVD: \$130 BAEC Members, \$175 Non-Members

Few among us would question that the art of persuasion is the most effective tool in the arsenal of a successful trial attorney. Local, and highly knowledgeable civil and criminal lawyers discuss cutting edge approaches to the art of trial advocacy. In this session, top plaintiffs' and defense attorneys address the trial of a civil case.

The Art of Criminal Trial Advocacy

Product Code 2150

Presented on September 26, 2009 • 7.0 CLE Credits: 0.5 Ethics, 1.0 Law Practice Management/Professional Practice, 5.5 Skills

CD or DVD: \$125 BAEC Members, \$170 Non-Members

Few among us would question that the art of persuasion is the most effective tool in the arsenal of

a successful trial attorney. Local, and highly knowledgeable civil and criminal lawyers discuss cutting edge approaches to the art of trial advocacy. In this session, top plaintiffs' and defense attorneys address the trial of a criminal case.

The Art of Persuasion – How to Persuade the Jury

Product Code 2252

Presented on December 8, 2015 • 1.0 CLE Credit: Skills

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO**

CODE: member2017), \$50 Non-Members

Jeffrey Marion presents “How to Persuade the Jury”, a CLE organized by the Solo and Small Practice Firm Committee.

The Art of Persuasion – How to Persuade Your Opponent

Product Code 2254

Presented on December 15, 2015 • 1.0 CLE Credit: 0.5 Ethics, 0.5 Skills

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO**

CODE: member2017), \$50 Non-Members

Learn the secrets to create an extraordinary practice and life through persuasion, presented by attorney Leonard D. Zaccagnino.

The Art of Persuasion: Don't Say That!

Product Code 2256

Presented on January 27, 2016 • 1.0 CLE Credits: Ethics

CD: \$30 BAEC Members, \$40 Non-Members, **ON DEMAND:** \$40 Members (**PROMO**

CODE: member2017), \$50 Non-Members

Presented by attorney Steven Fox, learn to distinguish shading from lying; opinion from fact; arm twisting from arm breaking; content from character. We have obligations to be truthful to clients and courts and ourselves, yet we can still use logic, rhetoric and argument to make them an offer they can refuse, but don't want to.

Winning Opening Statements and Closing Arguments

Product Code 2212

Presented on September 20, 2013 • 4.5 CLE credits: Skills

DVD: \$100 BAEC Members, \$140 Non-Members

This engaging and informative seminar covers the key principles, techniques and strategies for planning and delivering winning opening statements and closing arguments. With the aid of movie clips and actual openings and summations in celebrated cases, the presentation includes the essentials of how to seize the jurors' attention and hold it with a persuasive courtroom speech.

“Winning Opening Statements and Closing Argument” features:

Master storyteller techniques for opening statement, making your message stick with the jurors and judge, powerful case themes and narratives, the ingredients of compelling arguments, specific arguments on matters such as missing evidence, witness credibility, unanswerable questions, damages, and handling case weaknesses employing effective rhetorical devices, ten persuasion paradigms, the devastating rebuttal argument and today's technology for visual persuasion and argument visuals.

MISCELLANEOUS TOPICS

Bates v. Arizona, 433 U.S. 350 (1977) – The History & Present of Attorney Advertising

Product Code 2251

Presented on December 2, 2015 • 2.0 CLE Credits: 1.0 Ethics, 1.0 Areas of Professional Practice

CD: \$55 BAEC Members, \$90 Non-Members, **ON DEMAND:** \$60 Members (**PROMO**

CODE: member2017), \$100 Non-Members

Difficult to believe, but lawyer advertising was prohibited until 1977 when two upstart young attorneys successfully challenged the status quo in *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977). Quickly, everything changed. Lawyers and firms with the largest budgets and willingness to shout the loudest began reaping huge benefits by bombarding billboards, TV and radio with ads shouting as loudly as they can that they're the toughest, the least expensive, or the most successful attorney.

But things are (thankfully) changing once again, as intelligent attorney marketing is neutralizing the advantages of the better funded and louder-shouting firms. Technology in its many forms now gives lawyers an opportunity to differentiate themselves and present their expertise in exciting new ways.

Business Valuations and Estate Planning

Product Code 2272

Presented on October 25, 2016 • 3.5 CLE Credits: 2.0 Areas of Professional Practice, 1.5 Skills

CD: \$85 BAEC Members, \$125 Non-Members, **ON DEMAND:** \$90 Members (**PROMO**

CODE: member2017), \$135 Non-Members

- CPA Anthony Duffy of ValuQuest covers the Code Section 2704 Proposed Regulations issues August 2016.
- Attorneys Nathan W.G. Berti and Kevin Gluc from Hodgson Russ discuss Estate Planning for Business Owners.
- CPA Daniel Koscielny of ValuQuest discusses Business Valuation: Processes, Procedures, Approaches and Possibilities.

Everything You Need to Know About Becoming a Judge

Product Code 2228

Presented on May 1, 2014 • 2.0 CLE Credits: 0.5 Ethics, 1.5 Law Practice Management

CD and DVD: \$55 BAEC Members, \$90 Non-Members

Presented by highly knowledgeable members of the bench and bar, this program was designed to help practicing attorneys understand the steps they need to take to pursue judicial careers.

Judgment Enforcement in NYS

Product Code 2221

Presented on March 19, 2014 • 1.0 CLE credit: Areas of Professional Practice

CD or DVD: \$30 BAEC Members, \$40 Non-Members

Presenter, Daniel E. Sarzynski, of Rupp, Baase, Pfalzgraf, Cunningham & Coppola presents Judgment Enforcement in New York.

Topics covered include:

Securing the judgment, locating assets through information subpoenas, restraining notices, depositions, subjecting assets to the judgment through executions, levies, and garnishments, exempt and non-exempt property, and duration of judgment and renewal.

The Florida Bar 2016 Survey of Florida Law *(Not approved for New York MCLE credits)*

Product Code 2266

CLE approval period: May 25, 2016 — November 25, 2017

CD: There is an administrative fee of \$25 to RENT the CD's. They must be returned to the BAEC within 2 weeks.

This program qualifies an attorney for 12.0 General and 4.0 Ethics

FLORIDA CLER credits ONLY. (Not approved for NY MCLE Credits)

The Nuremberg Trials 70 Years Later: Legal Ethics and the Holocaust

Product Code 2273

Presented on October 28, 2016 • 3.5 CLE Credits: Ethics

CD: \$85 BAEC Members, \$125 Non-Members, **ON DEMAND:** \$90 Members (**PROMO CODE:** member2017), \$135 Non-Members

Join us for a series of presentations that focus on the 70th anniversary of the Nuremberg Trials and its impact on our justice system. This program includes a panel discussion and a Q&A session.

Presenters include Hon. Lawrence J. Vilaro, *United States District Judge, Western District of New York*, Hon. Eugene M. Fahey, *NYS Court of Appeals*, Hon. Howard W. Gutman, *United States Ambassador to Belgium (retired)*, Professor John Q. Barrett, *St. John's University School of Law, Jackson biographer*, and Professor James G. Milles, *University at Buffalo School of Law*.

This program is moderated by Attorney Vincent E. Doyle III, *Connors LLP, Former President, NYSBA*.

Buddy System Registration Form

Accreditation for viewing a CLE tape is handled on an individual basis. Each lawyer must pay the requisite fee, fulfill the requirements for accreditation, and acquire and retain his or her own certificates of completed Continuing Legal Education activity.

However, as a service to our members who wish to participate in group or sequential viewing of CLE tapes, the Erie Institute of Law offers the following alternative: One member in the group may purchase the audio tape of their choice, paying the listed price; all other members in the viewing group who wish to receive accreditation for viewing the tape will receive a \$30 discount. One set of CDs or DVDs will be mailed along with course materials for each participant.

In order to administer CLE credit, the names of all participating attorneys must be given at the time of purchase.

No more than five people per tape allowed. The buddy system applies to programs costing \$90 and up.

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