

Registration Form: Assigned Counsel Family Court Appeals Training Seminar – April 24, 2015

Name: _____ Office/Title: _____
Address: _____
City/State/Zip Code: _____
Telephone: _____ Email: _____

PREREGISTRATION IS REQUIRED. NO REGISTRATION AT THE DOOR.

There is no fee for this seminar.

Please complete this form and return it to:

Assigned Counsel Family Court Appeals Training Seminar
Appellate Division, Fourth Department
50 East Avenue, Suite 200, Rochester, NY 14604-2299

You **MUST** return this form by **April 17, 2015** in order to attend.
If you have any questions, please call 585-530-3100.

MCLE Credit

NYSDA has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of Continuing Legal Education in the State of New York (2013-2016). This transitional/nontransitional program has been approved in accordance with the requirements of the Continuing Legal Education Board for a maximum of 7.0 credit hours, of which 1.0 credit hour can be applied toward Ethics and Professionalism. No CLE credit may be earned for repeat attendance at any accredited CLE activity within any one reporting cycle. *Tuition assistance for financial hardship is available.*

Appellate Division, Fourth Department
50 East Ave., Suite 200
Rochester, New York 14604-2299

Assigned Counsel Family Court Appeals Training Seminar

presented by the
**Appellate Division,
Fourth Judicial Department**
Hon. Henry J. Scudder
Presiding Justice



and the
**New York State
Defenders Association**



FRIDAY, APRIL 24, 2015

Watts Conference Center
49 S. Fitzhugh St.
Rochester, New York

7.0 MCLE Credits (1.0 Ethics)

PROGRAM

9:30-10:00 am Registration

10:00-10:50 am

Family Court Motions and Calendar Practice

Alan L. Ross, Esq., Deputy Clerk of
the Court, Appellate Division,
Fourth Department

10:50 am-12:10 pm

Issue Spotting in Family Court Appeals

Janet Somes, Esq., Assistant Public
Defender, Monroe County
Kimberly Duguay, Esq., Assistant
Public Defender, Monroe County

12:10-12:30 pm Lunch (Provided)

12:30-1:30 pm

Ethics Tips and Tricks for Staying Out of Trouble

Andrea Tomaino, Esq., Principal
Counsel Seventh Judicial District,
Attorney Grievance Committee,
Rochester, NY

1:30-2:30 pm

Starting and Perfecting an Assigned Appeal

Timothy P. Murphy, Esq., Chief
Attorney, The Legal Aid Bureau of
Buffalo, Inc.

2:30-2:45 pm Break

2:45-3:30 pm

Practice and Procedure: Guidelines for Assigned Counsel

Kim Taylor, Esq., Principal Appellate
Court Attorney, Appellate
Division, Fourth Department

SPEAKERS

Kimberly Duguay earned a BA in Psychology from the University at Buffalo in 1988, and a Law Degree and a Masters in Social Work from the University at Buffalo in 1992. Kim has represented both parents and children in family law cases at the trial and appellate level in matters of neglect, abuse, termination of parental rights, custody and visitation. Kim was a staff attorney at Legal Services, Inc. in Pennsylvania, practicing in the areas of Family Law and Social Security Disability. In 1998, she became a licensed medical social worker with Lifetime Care (formerly Via Health Home Care) where she still practices social work per diem. Kim also worked as a mitigation specialist in capital and non-capital cases. In 2001, Kim became an associate attorney working with Gary Muldoon (later Muldoon & Getz). She joined the Monroe County Public Defender Office in 2007, handling criminal and Family Court appeals. In 2013, Kim and the attorneys in the Appeals Bureau of the Public Defender's Office were honored by the New York State Bar Association with the Denison Ray Criminal Defender Award. Kim is also a past president of the Greater Rochester Association for Women Attorneys (GRAWA).

Tim Murphy has been practicing law for 20 years, and is presently Chief Attorney of the Appeals and Post-Conviction Unit of the Legal Aid Bureau of Buffalo, Inc., overseeing the state's largest criminal appeals department outside New York City. The office represents indigent appellate clients in Erie, Orleans, Genesee and Cattaraugus Counties. He is the Chair of the Appellate Practice Committee of the Bar Association of Erie County; a board member for the New York Association of Criminal Defense Lawyers; a member of the Committee on Courts of Appellate Jurisdiction for the New York State Bar Association; and a member of the Tri-County Judicial Screening Committee for NYS Court of Appeals candidates. He is admitted to practice before the US Supreme Court and the US Court of Appeals for the Second, Fourth, Sixth and Eleventh Circuits, as well as before the Seneca Nation of Indians Court of Appeals. He is also a former Niagara County prosecutor, and has been a Town Justice in the Town of Pendleton since 2008. Tim was named to Super Lawyers (Upstate NY edition) in 2014.

Alan L. Ross is a graduate of the University at Buffalo Law School, where he was a member of the Moot Court Board. He was a litigation associate with the Rochester firm of Greisberger, Zicari before becoming Court Attorney to the Hon. Ann Marie Taddeo, Supervising Judge of the Family Courts of the Seventh Judicial District. After 13 years in Family Court, Mr. Ross was hired by the Fourth Department in 2004 as a Principal Appellate Court Attorney. Mr. Ross was appointed Deputy Clerk of the Appellate

Division, Fourth Department in December 2011. In addition, Mr. Ross had served as Mendon Town Justice for 8 years before retiring from the bench in 2009.

Janet C. Somes, a cum laude graduate of Syracuse University College of Law (1984), and a magna cum laude graduate of the State University of New York College at Brockport (1981), has worked in the Monroe County Public Defender's Office since 1985. Janet worked in all levels of the trial sections of the Public Defender's Office, and in 1990, joined its Appeals Bureau, representing clients in both Criminal and Family Court appeals. Since then, she has perfected hundreds of appeals before New York's appellate courts, including many at the NY Court of Appeals. Janet has recently been selected to receive the New York State Bar Association (NYSBA) "Outstanding Appellate Practitioner Award." Her winning streak at New York's highest court includes the successful appeal of eight consecutive cases, including *People v Handy*, 20 NY3d 663 (2015) and *People v Fisher*, 18 NY3d 964 (2015) as well as cases involving illegal detention and involuntary guilty pleas. In 2013, she and the attorneys in the Appeals Bureau of the Public Defender's Office received the NYSBA's Denison Ray Criminal Defender Award. Janet serves as vice president of the Honeoye Falls-Lima Board of Education and is a founding member and trustee of the Honeoye Falls-Lima Education Fund.

Kim Koski Taylor is a graduate of the University at Buffalo Law School. Upon graduation from law school Ms. Taylor clerked for the Supreme Court, Appellate Division, Fourth Department, before joining the Monroe County Law Department. Ms. Taylor served as a Deputy County Attorney and then as the Supervising Attorney for the Child Support Enforcement Unit. In addition to her duties as the Supervising Attorney, Ms. Taylor handled all appellate work for the Child Support Enforcement Unit and the Monroe County Juvenile Prosecutor's Office. Ms. Taylor is currently the Administrator of the assigned counsel program for the Fourth Department.

Andrea E. Tomaino is Principal Counsel for the Seventh Judicial District Attorney Grievance Committee, an agency of the Appellate Division, Fourth Department. She previously served as a Confidential Law Clerk to the Appellate Division, Fourth Department, before entering private practice, where she concentrated in family law with the firms of Chamberlain, D'Amada, Oppenheimer & Greenfield, and Woods Oviatt Gilman LLP, in Rochester, New York. Ms. Tomaino has been a frequent lecturer at CLE programs on legal ethics for various county bar associations and the New York State Bar Association, and she is the immediate past Chair of the Board of Trustees of Our Lady of Mercy High School in Rochester, New York. She received her BA from the College of the Holy Cross and her JD from Washington & Lee University School of Law.

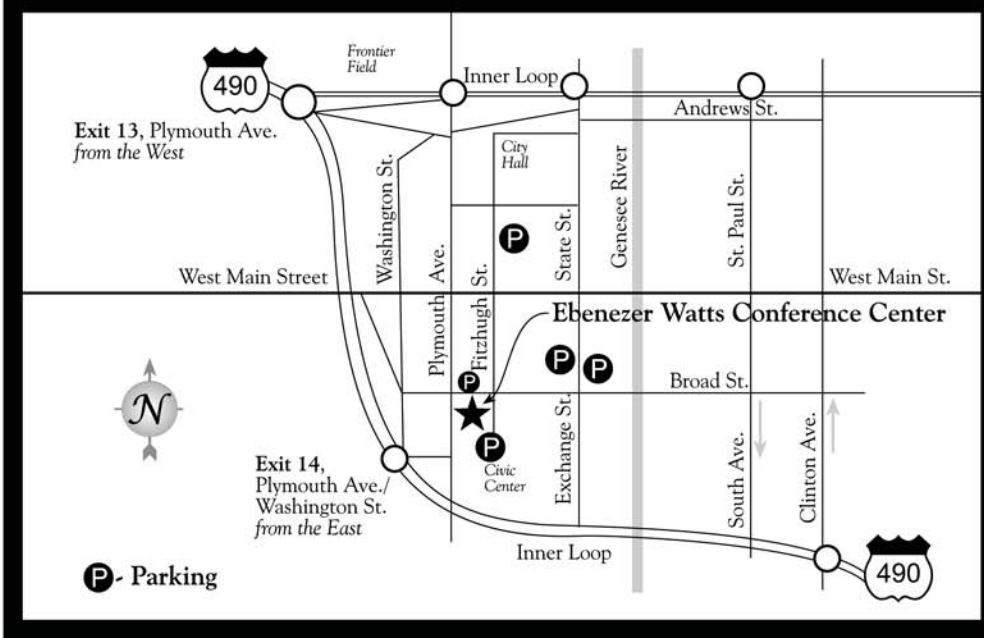
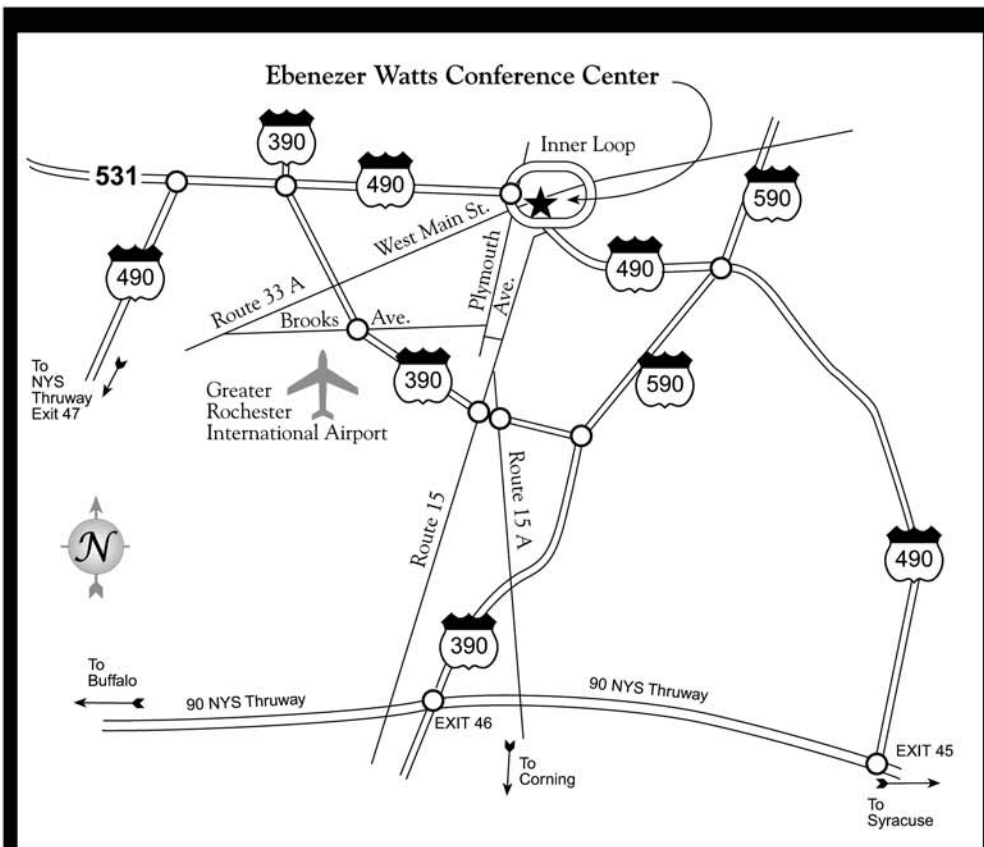
**Ebenezer Watts Conference Center
49 South Fitzhugh Street
Rochester, NY 14614**

from the East

- I-90 (NYS Thruway) West to Exit 45 (Rochester/490)
- Take 490 West to Exit 14 (Plymouth Ave.), the exit becomes Washington St., continue to Broad St.
- Turn right onto Broad St.
- Turn right onto Fitzhugh St.
- 49 S. Fitzhugh Street is on the right, just before entrance to the Civic Center Parking Garage.

from the West

- I-90 (NYS Thruway) East to Exit 47 (LeRoy)
- Take 490 East to Exit 13 (Plymouth Ave.), turn right onto Plymouth Ave.
- Turn left onto Broad St.
- Turn right onto Fitzhugh St.
- 49 S. Fitzhugh Street is on the right, just before entrance to the Civic Center Parking Garage.



Maggie Brooks
County Executive