

CONTINUING LEGAL EDUCATION PROGRAMS

FRIDAY, JUNE 2, 2023

2:00 p.m. - 3:30 p.m.

DEMYSTIFYING THE NEW YORK STATE COURT OF CLAIMS (1.5 HOURS)

This session will provide an introduction to the New York State Court of Claims. Two Court of Claims judges will discuss the Court of Claims Act, the types of cases heard by the Court, and some distinctions between Supreme Court and Court of Claims practice, among other matters.

Speakers: Hon. Catherine E. Leahy-Scott, Hon. Maureen T. Liccione

LGBTQ+ ISSUES THROUGH THE LENS OF BOWERS V. HARWICK AND RELATED CASES (1.5 HOURS)

This CLE will examine the case of Bowers v. Hardwick, a landmark decision that limited rights for the LGBTQ+ community wherein Justice Burger, in his concurring opinion, noted that “condemnation” is “firmly rooted in Judeo-Christian moral and ethical standards”. The focus for this program will be to examine if he was correct in his beliefs and how these views have impacted subsequent cases before the Supreme Court. The class will also look at Lawrence v. Texas, Masterpiece Cakeshop, Ltd v. Colorado Civil Rights Commission and the recently argued 303 Creative LLC v. Elenis.

Speakers: John F.K. Coffey, Esq., Andrea F. Composto, Esq.

3:45 p.m. - 4:45 p.m.

STRENGTHENING YOUR BUSINESS WITH EMPLOYMENT-BASED IMMIGRATION (1.0 HOUR)

This presentation focuses on employment-based immigration options for foreign national students/professionals and the companies that sponsor them. The U.S. system is incredibly restrictive and nuanced. We'll discuss how US companies can utilize the various visa options to remain competitive in today's global workforce, taking attendees through a typical immigration journey of a young foreign student-turned professional, explaining the employment-sponsored options under the F-1 student category, H-1B visa lottery and the PERM green card process.

Speaker: Jennifer Behm, Esq.

I SAID IT. I MEANT IT. SO HONOR IT. (1.0 HOUR)

Advance directives are recognized as a tool for individuals to express their wishes regarding their health care when they are unable to speak for themselves, including decisions that will hasten death however, serious problems remain. There is uncertainty about the level of capacity required to execute advance directives, health care providers frequently do not honor patient directions and the courts have not held refusing physicians liable for their failure to honor patient choice - but all this may be changing. In this presentation, the presenter will discuss the current state of the law regarding honoring patient choice with respect to health care decisions at the end of life; effective drafting of advance directives; how Dobbs v. Jackson Women's Health Organization could affect 50 years of progress in expanding patient rights at the end of life; the new health care directive regarding natural feeding of advanced dementia patients; and what it is, its legality and the ethical issues.

Speaker: Peter J. Strauss, Esq.

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SATURDAY, JUNE 3, 2023

8:30 a.m. - 10:00 a.m.

LONG TERM CARE PLANNING IN NEW YORK (1.5 HOURS)

This presentation will help attorneys understand the practical and legal aspects of long-term care planning in New York, which can benefit not only their clients but also the attorneys and their families personally. The discussion will cover long term care insurance, private pay options and costs, Medicaid and hybrid options.

Speaker: Lissett Ferreira, Esq.

9:00 a.m. - 10:00 a.m.

NO-FAULT INSURANCE: PRESERVING LOST EARNING CLAIMS (1.0 HOUR)

This CLE is intended for the experienced and occasional personal injury practitioner, as well as the general practitioner who are asked questions about No Fault. This CLE is needed so lawyers recognize the basics of preserving their clients' No Fault wage claims.

Speaker: Jeanne M. Vinal, Esq.

10:30 a.m. - 11:30 a.m.

BIAS AND DISCRIMINATION IN THE NEW YORK COURTS: FORMULATING A SOLUTION (1.0 HOUR)

Hon. Edwina G. Richardson-Mendelson, Deputy Chief Administrative Judge for Justice Initiatives, leads the New York State Unified Court System's Equal Justice in the Courts efforts to combat racial, gender-based and all other forms of discrimination, promote diversity and transparency, and implement the recommendations of both the Special Adviser's Report on Equal Justice and the New York State Judicial Committee on Women in the Courts 2020 Gender Survey. DCAJ Richardson-Mendelson will provide a historical overview of these statewide implementation efforts, as well as highlight the many local programs currently administered by Equal Justice Committees located in each judicial district. This session will also provide an opportunity for in-depth analysis of and interactive hypotheticals on the ethical rules governing judges, lawyers and non-judicial staff as they relate to issues of bias, discrimination and harassment.

Speaker: Hon. Edwina G. Richardson-Mendelson

PAID SURROGACY IN THE STATE OF NEW YORK (1.0 HOUR)

For decades in the state of New York, surrogacy was not recognized as a legalized option for prospective parents. Recognizing its importance and a need for a comprehensive surrogacy law, the Child Parent Security Act (the "CPSA") came into effect on February 15, 2021. For the first time, the residents of New York state were provided a legalized framework to become parents through the surrogacy process. Although the CPSA has been praised for its thorough protections it affords to involved parties, there have been many questions surrounding the statute in practice. What are the eligibility requirements for the intended parents and the prospective surrogate? How are the intended parents and surrogate matched with each other? What is included in a surrogacy agreement? What does the court process look like? The presenters will answer all these questions and more.

Speakers: Margaret Donohoe, Esq., Paul Talbert, Esq.

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