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A New Era for Family Justice: Inside Nassau County's State-of-the-Art Matrimonial and Family Court Complex

Adina L. Phillips

In a major step forward for access to family law services, Nassau County officially opened the doors of a brand-new courthouse on July 2, 2025. The new state-of-the-art building consolidates the previously separate Family Court and Supreme Court Matrimonial Center locations under one roof. The modern facility, located at 101 County Seat Drive in Mineola, signals a new chapter in the administration of family law services for both litigants and practitioners in our county. The courthouse showcases technological advancements, modern architecture, and family-centered services within a thoughtfully designed complex.

The courthouse represents the completion of a long-awaited transformation of family law practice in Nassau County. The opening of the new courthouse marks the culmination of years of planning, community input, and state-county collaboration. The architecture boasts the modern aesthetic with clean design features and an open floor plan leading to four corridors on each floor. The new design is a vast improvement for the functionality of the Family and Matrimonial Courts.

The stair-free entryway and centrally located elevator significantly improve accessibility and makes for an enhanced experience for all visitors, including practitioners who have hauled trial boxes up two flights of stairs in court-appropriate attire. With approximately 250,000 square feet of space and ample parking, the unified courthouse stands as a testament to the evolving needs of family law and the justice system's increasing commitment to dignity, accessibility, and efficiency.

For decades, litigants, attorneys, judges, and court staff in Nassau



County have navigated around or through the limitations of technological disruptions and outdated infrastructure spread across two courthouses located nearly five miles apart. The previous Family Court facility in Westbury and the separate Matrimonial Center in Mineola presented logistical challenges for families and their counsel alike. With its crumbling façade and cramped quarters, the former Family Court building did not reflect the attention or care deserved by the judges, lawyers, court attorneys, deputy county attorneys, social workers, court officers, court staff, litigants, and the very many children who walked through those doors.

"The new building was worth the wait! I am thrilled to have a beautiful space for our litigants, so that they feel respected and valued," remarks Tanya Mir, who serves as a Deputy County Attorney in the Nassau County Family Court and Chairs the Family Court Law and Procedure and Adoption Committee at NCBA. "Our most important work is in Family Court, as

we try each day to help families and children."

With a population of over 1.3 million people, the needs of the residents of Nassau County quickly outpaced the old edifice, particularly accelerated after the population boom of the pandemic years. In 2024, the Supreme Court Matrimonial Center handled over 2,700 divorce matters and Family Court managed over 17,000 case filings. The hope among colleagues is that the consolidated courthouse and the embrace of advances in technology will lead to increased efficiency in the courtroom setting.

From the moment attorneys and litigants enter the new courthouse, the impact of meaningful investments in technology is clear. The building is fully equipped with the latest in courtroom technology, which includes, but is not limited to, integrated hybrid hearing capabilities for every courtroom, digital information screens in

See A NEW ERA FOR FAMILY JUSTICE
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I often reflect on the importance of community—the profound impact it has on our individual and collective well-being. Too many of us, caught up in the demands of modern life, exacerbated by the unique pressures of practicing law, are lacking in this area. Perhaps not surprisingly, I have come to understand that the local bar association is a community that every lawyer should embrace. Communities like ours foster cohesion, remind us of the humanity we each carry, and cultivate compassion, tolerance, and understanding across different points of view.

As I was away for the latter half of September, I wrote much of this column on September 11, from the parking lot of Nassau Supreme following the courts' annual Commemoration of 9/11. Justice DeStefano presides over this annual event for court personnel and so generously included me in my capacity as NCBA President. It was a solemn opportunity to pause and honor the resilience and sacrifice of so many, particularly the court officers who responded that day.

Yet this year, that reflection was deepened by the painful reality that, only the day before, our nation was once again shaken by the assassination of a prominent political figure and by yet another school shooting.

At the ceremony, Justice DeStefano shared 9/11 *Reflections*, a video created by the New York State Unified Court System to honor the three court officers who perished that day and the many others who responded. He reminded us of the need to continue honoring this day and those lives lost, lest it be relegated merely to the pages of history. Nassau County Court Officer Major Philip Mansueto observed with sorrow how much more divisive our country has become in the 24 years since 9/11 and underscored the continuing need for humanity and compassion to prevail. Later in the day, more than one commentator reminded us of the need to stop dehumanizing those with different viewpoints and expressed



FROM THE PRESIDENT

James P. Joseph

longing for a time when friendships were not defined by whether one was liberal or conservative.

If you lived on Long Island in 2001, you likely have far too many personal ties to that day and its aftermath. At the time, I lived next door to a dear friend with whom I had served as a volunteer fireman. He was a member of FDNY Squad 288, which shared its Queens firehouse with HazMat 1. Together, they lost 19 members that day, including Ronnie Gies—a former Chief of our volunteer fire department, a friend, a father of three young boys, and a true leader.

It is worth remembering that our court officers are not simply a friendly face at the courthouse; they are, first and foremost, first responders who serve to protect us all. They are an essential part of our community, and on behalf of the Nassau County Bar Association, I extend our deepest gratitude to them all—for what they do each day, and for what, without hesitation, I have no doubt they would sacrifice should the need ever arise.

One of my strongest memories from the months after 9/11 was how we, as Americans, came together. Flags flew from car windows, decals adorned nearly every bumper, and expressions of unity appeared everywhere. Our nation was in shock, and we mourned collectively. It was a reminder of how powerful it can be to stand as part of a community.

While the circumstances are different, the lesson endures: we are stronger when we come together. Our Bar Association embodies that spirit, offering countless opportunities for connection—through continuing legal education, public service, and charitable work.

In the days ahead, in addition to many excellent CLEs, on October 21 the Access to Justice Committee will host the annual Pro Bono Open House, providing meaningful opportunities to volunteer. On October 23, we will host the annual Judiciary Night. Every event at the NCBA is a chance to connect, to learn, and to strengthen the fabric of our profession. I look forward to seeing many of you at Domus, continuing and strengthening the proud tradition of community that sustains us as lawyers. ⚖️




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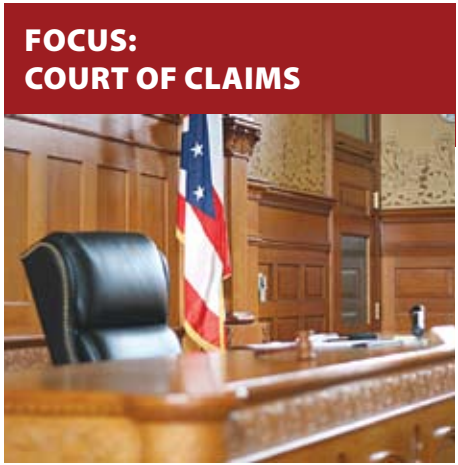
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**FOCUS:
COURT OF CLAIMS**

Hon. Linda K. Mejias-Glover

The New York State Court of Claims occupies a unique and often misunderstood place in the state’s judicial system. Created as a remedy to the longstanding doctrine of sovereign immunity, the court serves as the exclusive forum for litigants seeking monetary damages from the State of New York or certain state-related entities. Over time, the Court of Claims has evolved in both structure and scope, reflecting broader efforts toward judicial efficiency and equity. This article aims to illuminate the court’s historical origins, jurisdiction, procedural distinctions, and commitment to expanding access to justice for vulnerable populations.

Historical Foundation

Sovereign immunity (the principle that “the King can do no wrong”) was carried into New York’s first Constitution in 1777. For decades, individuals with claims against

Demystifying the New York State Court of Claims: Practice, Procedure, and Equal Access to Justice

the State had no legal recourse. A notable exception emerged in 1817 when the Erie Canal Act authorized commissioners to compensate property owners for appropriations made in connection with canal construction. It was not until 1929 that New York formally waived its sovereign immunity in tort, which later was codified by the Court of Claims Act of 1939. In 1950, the court was enshrined as a constitutional court, signaling its permanence and institutional significance.

Structure and Jurisdiction

Today, the New York State Court of Claims is comprised of 27 judges appointed by the governor with the advice and consent of the Senate to nine-year terms. These judges preside statewide and hold jurisdiction over claims brought against New York State, as well as counterclaims initiated by the State against a claimant. Additionally, 64 Acting Supreme Court Justices may be designated by the chief administrative judge to serve in a dual capacity, though they do not preside over Court of Claims matters.

The court exercises exclusive jurisdiction over a wide variety of claims, including torts, breach of contract, unjust conviction, appropriation of property, and medical negligence. The court does

not have jurisdiction over municipalities or private parties. Certain quasi-state entities like the New York State Thruway Authority, the City University of New York (senior colleges only), and Roswell Park Cancer Institute may be named as defendants under specific conditions outlined in their enabling legislation.

Procedural Distinctions

The Court of Claims follows its own procedural framework governed by the Court of Claims Act (CCA), the Uniform Rules for the Court of Claims (22 NYCRR Part 206), and provisions of the CPLR, which are not inconsistent. Notably, all trials in the Court of Claims are bench trials; there is no right to a jury. Trials are typically bifurcated, first determining liability and then damages.

A critical aspect of Court of Claims practice is the stringent jurisdictional requirements related to service and filing. A claim must be filed with the Clerk of the Court and served on the attorney general either by personal delivery or certified mail, return receipt requested, is mandatory. Filing and service must occur within the statutorily prescribed timeframes, or the claim may be dismissed for lack of jurisdiction.

The CCA also allows claimants to serve a “Notice of Intention to File

a Claim,” which can preserve the claimant’s rights if properly and timely served. However, there is no “Notice of Claim” akin to that required under the General Municipal Law for suits against municipalities.

Motion Practice

Court of Claims motion practice mirrors that of Supreme Court in many respects, with important caveats. Motions to dismiss for lack of jurisdiction, improper service, or noncompliance with CCA § 11(b)’s pleading requirements are strictly construed and often determinative. Practitioners must also be aware of unique motions such as the motion for permission to file a late claim under CCA § 10(6), and motions to treat a Notice of Intention as a claim under CCA § 10(8).

When seeking to amend a claim, parties must accompany their motion with the proposed amended pleading. Failure to do so is fatal. Moreover, a motion to amend cannot cure jurisdictional defects.

Types of Claims Commonly Litigated

Claims range from negligence and medical malpractice to appropriation of real property and unjust conviction.



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Incarcerated person (IP) claims form a significant part of the docket and include:

- **Bailment**—Loss or destruction of property
- **Wrongful confinement**—Procedural violations in disciplinary hearings
- **Assaultive conduct**—Claims against correctional staff or for failure to prevent inmate-on-inmate assaults
- **Medical negligence**—Claims arising from inadequate or negligent medical care
- **Premises liability**—Unsafe conditions in correctional facilities, including vocational programs

Equal Justice in the Courts Initiative

In 2022, the court established the Equal Justice in the Courts (EJIC) Committee with a mission to improve access to justice, particularly for indigent and unrepresented litigants, including the incarcerated. Judges observed that many pro se claims—especially from incarcerated individuals—were dismissed on procedural grounds that may have been avoided with legal representation.

Recognizing this disparity, the Court of Claims initiated an ambitious pilot program: the Attorney Referral Service. Led by retired Judge Debra A. Martin and supported by a multi-stakeholder subcommittee, the program connects eligible incarcerated litigants with attorneys willing to accept referrals.

Attorney Referral Service Pilot Program

Launching in late 2024, the Pilot Program is currently limited to claims that (1) were filed on or after January 1, 2023; (2) arose at Cocksackie, Greene, or Washington Correctional Facilities; and (3) involve allegations of medical malpractice, general negligence, or assaultive conduct. Participation by attorneys is voluntary. Those interested must complete a “Request for Placement on the Attorney Referral List” and meet criteria including good standing with the New York Bar and holding \$1 million in legal malpractice insurance. Incarcerated individuals submit a “Request for Attorney Referral” form, which is made available in the correctional facilities.

Once a request is received, the court randomly selects several names from the attorney panel and provides the list to the requesting individual. It is then the individual’s responsibility to contact and engage an attorney. The program does not guarantee representation, and the attorneys are not obligated to accept cases. The goal is to increase opportunities for connection and representation.

Practical Considerations for Practitioners

Practicing in the Court of Claims differs from Supreme Court in both procedural and logistical ways. For example:

- There is no impleader or third-party practice available to claimants.

- Notes of issue are not required in pro se Incarcerated Persons cases.
- Virtual trials and pretrial conferences are now common, especially post-pandemic, with platforms like Microsoft Teams used regularly.
- Settlement conferences and ADR (including mediation) are actively encouraged and offered at no cost.

Depositions, witness preparation, and motion practice proceed largely as they would in Supreme Court but must always account for the procedural rigor and jurisdictional limits of the Court of Claims.

Challenges and Opportunities

The court’s commitment to access and fairness is noteworthy, but challenges remain. Many indigent litigants face hurdles that are procedural rather than substantive—missed deadlines, defective service, or improperly verified claims can doom otherwise meritorious cases. The Court of Claims Act’s jurisdictional rigidity underscores the importance of practitioner diligence and the value of initiatives like the Attorney Referral Service.

For the broader legal community, these developments present an opportunity—and a call to action. Participation in the Attorney Referral Program offers practitioners a meaningful way to support access to justice, especially for incarcerated individuals whose voices might otherwise go unheard. Attorneys with experience in torts, medical malpractice, and corrections litigation are especially encouraged to join the referral panel.

Conclusion

The New York State Court of Claims is a critical venue for those seeking redress against the State. It demands precision, preparedness, and a firm understanding of its distinct rules and limitations. At the same time, it stands at the forefront of efforts to promote equal justice, particularly through initiatives like the Court of Claims Equal Justice in the Courts Committee and the Attorney Referral Service.

As the court continues to adapt to the needs of the public it serves, practitioners who appear before it must also rise to meet the evolving standards of equity, access, and professional excellence. Whether through courtroom advocacy, behind-the-scenes support, or participation in programs that bridge the access-to-justice gap, members of the Bar have a vital role to play in ensuring the Court of Claims remains not just a court of law, but a court of fairness.

If you are interested in learning more about the Attorney Referral Service, please contact lmejias@nycourts.gov.



Hon. Linda K. Mejias-Glover is a Judge of the New York Court of Claims and sits in Hauppauge. She was previously a Nassau County Family Court Judge. She is a past president of the Long Island Hispanic Bar

Association and the Nassau County Women’s Bar Association. Judge Mejias-Glover can be contacted at lmejias@nycourts.gov.

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Andrew Ross, Gabe Shurek, Mike Garcia, and Nicholas Backmann, members of Citrin Cooperman's Valuation and Forensic Services Group, work closely with attorneys in various specialties. They plan on playing active roles with the NCBA and look forward to engaging with its members. For more information, call (516) 931-3100.



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**FOCUS:
CIVIL LITIGATION**

Christopher J. DelliCarpini

New York courts commonly entertain appeals from interlocutory decisions, so it should not be surprising that appellants facing imminent trial commonly move for a stay pending the outcome of their appeal. It also should not be surprising that these motions are seldom granted, lest the wheels of justice grind to a halt. But granting such motions is a matter of discretion, and courts typically decide them with little discussion, giving future litigants little guidance.

However, a recent trial court decision addresses such motions with rare thoroughness. In *Colt v. New Jersey Transit Corp.*, Justice Christopher Chin of New York Supreme Court denied the defendants' motion for a stay pending appeal—and explained himself in a ten-page decision.¹ His rationale offers

A Matter of Discretion: Moving to Stay Trial Pending Appeal

lessons for parties on both sides of the motion for a stay pending appeal.²

In *Colt* the plaintiff alleges that he was struck by a New Jersey Transit bus in the crosswalk of a Manhattan street. The defendants moved to dismiss, arguing that they were immune from suit in New York. The motion was denied, and eventually the Court of Appeals affirmed.³ By then the plaintiffs had won summary judgment on liability, and the trial court set the matter down for a damages trial.

The defendants then moved to stay the trial, as they had been granted certiorari to appeal to the United States Supreme Court. They argued that a successful appeal would make that damages trial a waste of judicial resources, and that the plaintiffs would suffer no prejudice by waiting until the appeal is decided. "This court disagrees," wrote Justice Chin, before expounding on his reasons at length.

Cite the Proper Authority for Your Motion

Because they moved for a stay in the trial court, the *Colt* defendants were able to move under CPLR 2201: "Except where otherwise prescribed

by law, the court in which an action is pending may grant a stay of proceedings in a proper case, upon such terms as may be just." Parties can seek a stay under CPLR 2201 for any reason, as long as they bring the motion in the court of original jurisdiction.⁴

Although the *Colt* defendants could not do so, appellants in certain circumstances may also move for a stay under CPLR 5519(c), which provides: "The court from or to which an appeal is taken or the court of original instance may stay all proceedings to enforce the judgment or order appealed from pending an appeal or determination on a motion for permission to appeal." This was unavailable in *Colt* because an order granting plaintiffs' partial summary judgment on liability is self-executing and therefore not enforceable—although it would be if it also set the matter down for a damages trial on a date certain.⁵

Statutes aside, however, courts have "inherent power to grant a stay of acts or proceedings, which, although not commanded or forbidden by the order appealed from, will disturb the status quo and tend to defeat or impair our appellate jurisdiction."⁶

Therefore, when the order appealed from has an enforceable provision and there is no automatic stay, parties may move the appellate court to stay enforcement under CPLR 5519(c). Otherwise, parties may move the trial court for a stay under CPLR 2201 as in *Colt* or move the appellate court under its inherent power.

Argue the Factors that Matter to the Court

Parties on both sides should remember that whether to stay trial pending an appeal in most cases is discretionary. CPLR 5519(a) and (b) enumerate when a stay of enforcement pending appeal will be automatic. Beyond that, however, not only is a stay within the court's discretion, but "such a stay should be denied unless the proponent of the stay can demonstrate prejudice if no stay is granted."⁷

Justice Chin further detailed the factors to consider on such motion: prejudice to the movant if no stay is granted; avoiding the risk of inconsistent adjudications; duplication of proof; potential waste of judicial resources; and prejudice to the nonmoving parties from delaying trial. He then went through each, giving insight into how courts will consider such factors.

Clarify the Risk from Inconsistent Adjudications

In *Colt* the defendants argued that were the case to proceed to a damages

trial and subsequently the Supreme Court held that NJT was immune from suit, those adjudications would be inconsistent.

Justice Chin, however, found that "there is little to no risk of inconsistent adjudications" because "it is unfathomable that any ruling by the United States Supreme Court [on immunity] would include any determination" regarding injuries or damages.⁸

While it may seem that a damages finding is moot if the defendants are all immune from suit, that does not make the two adjudications inconsistent. Litigants arguing for or against a motion to stay should therefore be prepared to spell out just how granting the appeal would conflict with any judgment from the trial.

Identify Any Duplicative Proof

Given the preceding discussion, Justice Chin concluded that, as the adjudications almost certainly could not be inconsistent, "it is not likely that there would be an overlap or duplication of proof in the damages-only trial."⁹

In such cases, the argument should focus on just what evidence was before the trial court. Parties who moved for summary judgment on discrete legal grounds like immunity will, like the *Colt* defendants, have a tougher time arguing the risk of duplicative proof.

Consider the "Sunk Cost" of Judicial Resources

Perhaps the most common argument on motions for stay of trial pending appeal is that a trial would waste judicial resources if the defendant were to prevail on appeal and receive summary judgment. Less common, however, is for the movant to argue the marginal cost to the courts given the length of litigation already.

In fact, Justice Chin seemed to consider that it would be a waste of judicial resources not to have a damages trial at this point, even with the prospect of the Supreme Court finding the defendants immune. "To deny plaintiffs their day in court at this juncture would (in this court's view) not be a waste of judicial resources," he wrote, "but rather, resources well utilized in bringing this eight (8) year old matter to fruition."¹⁰

Justice Chin also considered the waste in staying trial. It was just as likely that the Supreme Court would rule against the defendants as for them, he wrote, and a damages trial might still be necessary were the bus driver, an individual defendant, found to not enjoy immunity.¹¹ Evidently, Justice



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Chin considered a prompt damages trial a more efficient use of judicial resources than further delaying the plaintiff's day in court.

Counsel arguing a motion to stay should therefore acknowledge the judicial resources that have already gone into the litigation. They should also step through the consequences of the possible dispositions of the appeal and how each would implicate further judicial resources.

Know What Is Prejudice, and What Isn't

A similar argument for a stay is that continuing to trial would force the parties to expend resources on a trial that may be mooted by the decision on appeal.

Justice Chin, however, had no regard for that consideration. "NJT fails to cite to any cases where a court has held that litigation expenses would constitute undue prejudice," he wrote, citing several decisions where courts "have declined to hold that incurring the usual costs of litigation would constitute prejudice."¹² Justice Chin also pointed out that the defendants could move to stay enforcement of any judgment after a damages trial.

Justice Chin also weighed the *Colt* defendants' prejudice argument against the prejudice to the plaintiff from a stay. "[A] verdict for money damages, even if unenforceable, has

some (intangible) value."¹³ Citing the \$1.68 billion jury verdict against author James Toback this year for sexual abuse and other crimes, Justice Chin wrote that regardless of whether they could collect, "yet the plaintiffs were grateful to have had their day in court."¹⁴ Denying plaintiffs the opportunity to present their case to a jury, he concluded, is its own prejudice.

Parties seeking a stay will therefore have to come up with prejudice other than litigation expenses, or try to outdo Justice Chin's case law. And parties opposing a stay can argue that denial of their day in court prejudices them.

Conclusion

Evidently, Justice Chin gave some consideration to the merits of the *Colt* defendants' immunity argument. He noted that under New Jersey law, "a suit against New Jersey Transit can *only* be brought in New Jersey and only in the county where the incident occurred."¹⁵ He also noted New York's "compelling interest in holding NJT accountable for its alleged negligence."¹⁶ All of this informed his conclusion that "To issue a stay of the damages trial at this time, pending a decision from the U.S. Supreme Court, would be an extreme miscarriage of justice to plaintiffs."¹⁷

But given the totality of Justice Chin's analysis, when could a litigant ever earn a stay under CPLR 5519(e)?

One example of a successful motion is *Van Amburgh v. Curran*.¹⁸ The petitioners there were police officers who sought to modify a subpoena compelling their testimony before a state commission. The court dismissed their petitions, but then it granted a stay of execution of its order pending appeal, since but for the stay the petitioners would have had to testify, rendering their appeal academic.

However difficult prevailing on such motion may be, Justice Chin's decision gives guidance to litigants looking to beef up their arguments for a stay as well as against. Some might want to talk about the merits of their arguments on appeal, but that was singularly unpersuasive in *Colt*. Rather, movants should acknowledge that such stays are discretionary where they are not automatic, and they should make clear and concrete the harms that would come from hasty trial in the particular case before the court. They should also weigh those harms against the harms faced by the nonmovants in delaying trial further.

Another lesson for Justice Chin's decision is the value of trial court decisions. While they lack the precedential force of appellate decisions, trial court decisions may be particularly helpful when they address issues that seldom reach appellate courts. Trial courts may also be the first to deal with novel issues, and their

well-reasoned decisions can influence later appellate decisions. In this case, litigants on both sides of motions to stay trial pending appeal should be grateful for Justice Chin's thorough analysis. 

1. *Colt v. New Jersey Transit*, 158309/2017, NYSCEF 201 (Sup. Ct., N.Y. Co. Sept. 3, 2025).
2. The case is far from over, but since an order denying a stay cannot be appealed as of right, see CPLR 5701(a), Justice Chin's decision is ripe for discussion.
3. *Colt v. New Jersey Transit Corp.*, 43 N.Y.3d 463 (2025).
4. *Schwartz v. NYC Housing Authority*, 219 A.D.2d 47, 48 (2d Dep't 1996).
5. *Pickrell v. Town of Huntington*, 219 A.D.2d 24 (2d Dep't 1996).
6. *Schwartz*, 219 A.D.2d at 48.
7. *Colt*, *supra* n.1, at 4 (quoting *Pearce v. Pearce*, 97 A.D.2d 718, 719 (1st Dep't 1983)).
8. *Id.* at 5.
9. *Id.*
10. *Id.* at 6.
11. *Id.*
12. *Id.* at 7.
13. *Id.* at 7.
14. *Id.* at 7-8.
15. *Id.* at 9 (emphasis in original).
16. *Id.*
17. *Id.* at 10.
18. 73 Misc.2d 1100 (Sup. Ct., Albany Co. 1973).



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**FOCUS:
EMPLOYMENT LAW**


Cynthia A. Augello

It starts as a simple complaint from an employee in a casual conversation with HR: “I think my manager is playing favorites, and it feels like I’m being passed over because of my age.” On the surface, it might seem like a low-risk issue, but seasoned litigators know better. A seemingly small complaint, if not handled properly, can quickly morph into a full-blown lawsuit with allegations of age discrimination and retaliation.

The stakes are raised even higher when the employee’s manager is a key revenue generator for the company. How do the lawyers uncover the truth without risking the manager’s loyalty or creating a new claim? The answer lies in bringing in an outside investigator.

Inherent Bias of Internal Investigations

When a serious workplace complaint arises, such as harassment, discrimination, or retaliation, an internal investigation conducted by the company’s human resources department or in-house counsel can be problematic. This is because internal investigations are often viewed with skepticism by a court or jury. They may be perceived as biased, since the company is, in effect, investigating itself. This can lead to the defense’s credibility being undermined from the outset.

A plaintiff’s attorney may argue that the investigation was a “sham” designed to protect the company rather than to uncover the truth. The findings, no matter how thorough, can be dismissed as self-serving. By contrast, an investigation by a neutral third party can provide an objective, credible, and defensible record of the events.

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Why Employment and Education Law Defense Firms Should Retain Outside Investigators to Conduct Client Investigations

Expertise and Specialization

Workplace investigations are a specialized field that requires unique skills. While HR professionals are trained in a wide range of employee relations issues, they may not possess the specific investigative expertise needed for complex or high-stakes cases. Outside investigators, particularly those with a legal or law enforcement background, are trained in advanced interviewing techniques, evidence collection, and report writing. They know how to conduct a thorough and impartial inquiry that will withstand legal scrutiny. They can effectively:

- **Gather and analyze evidence.** This includes reviewing documents, emails, and other electronic data, as well as interviewing witnesses in a manner that avoids leading questions.
- **Assess witness credibility.** They are skilled at evaluating the consistency of statements and identifying potential biases.
- **Document findings clearly and concisely.** A well-written report from an outside investigator can be a powerful piece of evidence in litigation.

Mitigating Legal Risk

Utilizing an outside investigation firm is a powerful risk management strategy for an employment law or education law defense firm’s client. A thorough, unbiased investigation can help an institution identify and address misconduct before it escalates into a costly and time-consuming lawsuit.

In litigation, the investigation report can be a key component of the defense. It can be used to:

- **Support a strong legal defense.** For example, in a sexual harassment case, a prompt and thorough investigation is often a key element of the Faragher-Ellerth affirmative defense, a significant affirmative defense for employers in cases of supervisory harassment under Title VII of the Civil Rights Act of 1964. It was established by the Supreme Court in two landmark 1998 cases, *Faragher v. City of Boca Raton* and *Burlington Industries, Inc. v. Ellerth*.¹ The defense applies to hostile work environment claims where the harassment was

committed by a supervisor but did not culminate in a “tangible employment action” against the employee (e.g., discharge, demotion, or a significant change in job responsibilities).

- **Strengthen settlement negotiations.** A credible report showing that the company took the allegations seriously and acted appropriately can encourage a plaintiff to settle on more favorable terms.
- **Demonstrate due diligence.** It shows a jury that the employer acted reasonably and in good faith to resolve the complaint.

How an Independent Investigation Assists in a Faragher-Ellerth Affirmative Defense

The defense is designed to balance an employer’s vicarious liability for a supervisor’s misconduct with a strong incentive for both employers and employees to prevent and correct harassment in the workplace. To successfully use the Faragher-Ellerth defense, the employer must prove two distinct elements:

- 1) The employer exercised reasonable care to prevent and promptly correct any harassing behavior. This first element focuses on the employer’s proactive and reactive measures. It typically requires the employer to show that it had:

- *A well-defined and widely disseminated anti-harassment policy.* This policy should clearly state that harassment is prohibited, define what constitutes harassment, and provide a clear, accessible complaint procedure.

- A reporting mechanism that does not require the employee to complain to their harasser. The policy should offer alternative avenues for reporting, such as to an HR manager or a designated compliance officer.

- Prompt and effective corrective action. Once the employer becomes aware of harassment, it must act quickly and reasonably to investigate the allegations and take action to stop the behavior. A key

part of this is a thorough and impartial investigation.

- 2) The plaintiff employee unreasonably failed to take advantage of any preventative or corrective opportunities provided by the employer or to otherwise avoid harm. This second element focuses on the employee’s behavior. The employer must show that the employee failed to use the established complaint procedure in a reasonable manner. A common example is when an employee knew about the company’s anti-harassment policy and complaint procedure but chose not to report the harassment, even though there was no credible reason to fear retaliation.

Role of an Independent Investigation

This is where an independent investigator becomes invaluable. A court or jury will scrutinize the employer’s actions under the first prong of the defense. An investigation that is conducted internally and is perceived as biased or insufficient can completely undermine this defense.

By hiring an outside firm, the employer can provide compelling evidence that it acted with “reasonable care” by seeking out a neutral third party to investigate a serious complaint; conducted a “prompt and effective” investigation that was not influenced by internal politics or a desire to protect the company; and made a good faith effort to uncover the truth, which is a core component of the “reasonable care” standard.

In essence, a credible, well-documented investigation by an outside firm is the strongest possible evidence an employer can present to satisfy the first prong of the Faragher-Ellerth defense and, in many cases, can be the difference between winning and losing a hostile work environment lawsuit.

Attorney-Client Privilege and Work Product Doctrine

When a law firm retains an outside investigator, it can help protect the investigation from discovery. The investigation can be conducted under the direction of the law firm as part of the legal representation, which may bring the investigation within the scope of the



attorney-client privilege or the work product doctrine. This can protect the firm's legal strategy and confidential communications from being disclosed in litigation.

It is important to note that the application of these doctrines is fact-dependent and requires careful planning and communication. A skilled employment law defense firm will know how to structure the engagement with an outside investigator to maximize these protections.

How Privilege and Work Product Apply to Investigations

The attorney-client privilege protects confidential communications between a client and their attorney for the purpose of seeking or providing legal advice. The work product doctrine protects documents and other tangible things that are prepared in anticipation of litigation.

When a law firm retains an independent investigator, the firm can structure the engagement so that the investigator is acting as its agent. This means that the investigator's communications and work are being done at the direction of the law firm to help it provide legal advice to the client and to prepare for potential litigation. This is a crucial distinction.

• Attorney-Client Privilege.

By hiring an outside investigator to act as an agent of the law firm, communications between the investigator and the client's employees can be protected by the attorney-client privilege. The investigator conducts interviews and gathers information at the direction of the law firm, so the information is collected for the purpose of the firm providing legal advice. To maximize this protection, the engagement should be clearly documented in a written agreement, and all parties should understand the purpose of the investigation.

• **Work Product Doctrine.** The work product doctrine provides even broader protection. It can shield the investigator's notes, interview summaries, and the final

report from discovery. As long as the investigation is conducted "in anticipation of litigation"—which is a low bar to meet in most serious workplace disputes—the investigator's work product can be protected. This is a critical shield for the legal strategy of the defense firm, as it prevents the plaintiff's counsel from easily accessing the factual findings and the investigator's mental impressions.

The Risk of Waiver

It is important to understand that these protections are not absolute and can be waived. The most common way a waiver occurs is when a client or the law firm puts the adequacy of the investigation directly at issue in the litigation. For example, if an employer uses the investigation report as a defense to show they took appropriate corrective action, a court may find that the employer has waived the privilege and must produce the report and the underlying investigation files.

However, by utilizing an outside investigator, the defense firm has more control over this risk. The firm can advise the client on whether or not to rely on the investigation as part of the defense, and if they choose to do so, they can be more confident that the investigation will withstand scrutiny because it was conducted impartially and professionally. In contrast, an internal investigation that is perceived as biased is more likely to be challenged and its protections more easily waived.

Lawyer as Witness Rule: Why Independent Investigators Avoid a Conflict of Interest

A critical ethical consideration for any law firm is the "lawyer as witness" rule. This rule, codified in professional conduct rules like ABA Model Rule 3.7, generally prohibits a lawyer from acting as an advocate at a trial where they are also "likely to be a necessary witness." The purpose of the rule is to prevent confusion for the jury and to avoid a conflict of interest where a lawyer's credibility as

a witness could be questioned because of their role as an advocate.

If a law firm conducts an internal investigation for a client and litigation ensues, the lawyer who conducted the investigation may be called to testify. This places the lawyer in a difficult position—they may have firsthand knowledge of the investigation's process and findings, making them a key fact witness. This can trigger the "lawyer as witness" rule, potentially requiring the lawyer to withdraw from the case and forcing the client to retain new counsel. This not only increases legal costs but can also create a disruption in the defense strategy and a loss of institutional knowledge.

By hiring an outside investigator, the law firm avoids this problem entirely. The independent investigator, not the lawyer, becomes the fact witness regarding the investigation. They can testify about the process they followed, the evidence they collected, and the conclusions they reached. This allows the law firm's attorneys to remain in their proper role as advocates, presenting the evidence and arguing the case without their own credibility being a factor. This separation of roles is a crucial strategic advantage that allows the law firm

to provide continuous and effective representation to its client.

Conclusion

In today's complex legal landscape, where employment claims are on the rise, relying solely on internal investigations is a significant risk for any company. By utilizing an outside investigation firm, employment law defense firms can provide their clients with a critical advantage. This practice ensures impartiality, leverages specialized expertise, mitigates legal risk, and helps protect the investigation process under the umbrella of legal privilege. It is an investment that can save a company time, money, and reputational damage in the long run. ⚖️

1. Faragher v. City of Boca Raton: 524 U.S. 775 (1998); Burlington Industries, Inc. v. Ellerth: 524 U.S. 742 (1998).



Cynthia A. Augello is the founding member of the Augello Law Group, PC, where she practices education law. She is also the Editor-in-Chief of the *Nassau Lawyer* and

Chair of the NCBA Publication's Committee. Cynthia can be contacted at caugello@augellolaw.com.

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NASSAU ACADEMY OF LAW

October 6 (Hybrid)

Dean's Hour: Discovery Reformed—

Understanding the Changes to CPL § 245

With NCBA Appellate Practice and Criminal Court Law & Procedure Committees and Nassau County Assigned Counsel Defender Plan

12:30PM—2:00PM

1.5 CLE Credits in Professional Practice

NCBA Member FREE; Non-Member Attorney \$50

This is Part 1 of a two-part series on updates to New York's discovery laws. On August 7, 2025, new amendments to CPL § 245 and CPL § 30.30 went into effect, including several changes that impact when and how to challenge the District Attorney's Office's Certificates of Compliance (COC) and Certificates of Readiness. **Karen E. Johnston, Esq.** will explore the new procedures governing COC challenges, standards used to determine if a COC is valid, how to assess due diligence and the Bay factors used in making that determination, and the new scope of automatic discovery.

October 7 (Hybrid)

Dean's Hour: Substance Use and Mental Health Issues Among Legal Professionals

With NCBA Lawyer Assistance Program

12:30PM

1.0 CLE Credit in Ethics & Professionalism

NCBA Member FREE; Non-Member Attorney \$35

Members of the legal profession struggle with substance misuse, mental health issues, suicidality, and deaths by suicide in greater numbers than the general public and most other professions. Attorneys must be equipped to recognize the signs of substance abuse and mental health issues, understand the implications, what their professional obligations are, and how to respond appropriately.

Guest Speakers: Elizabeth Eckhardt, LCSW, PhD, and Daniel R. Strecker, Harris Beach Murtha

October 9 (Hybrid)

Dean's Hour: The Racket Buster Who Could Have Been President

12:30PM

1.0 CLE Credit in Professional Practice

NCBA Member FREE; Non-Member Attorney \$35

Rudy Carmenaty speaks on Thomas E. Dewey, a brilliant, incorruptible prosecutor who took on organized crime in New York, who then rode his legal triumphs to the Governor's mansion in Albany. Dewey almost became the President of the United States—not once but twice. Dewey's efforts earned him the moniker of the "Racket Buster."

October 15 (In Person Only)

Personal Injury Mediation in 2025: A Primer

With NCBA Plaintiff's Personal Injury, Defendant's Personal Injury, and ADR Committees

Sponsored by



5:00PM Registration; 5:30PM Program

1.5 CLE Credits in Professional Practice

NCBA Member FREE; Non-Member Attorney \$50

This panel will discuss observed trends and best practices for personal injury mediations in 2025, present their perspectives on effective strategies, and provide practical guidance relating to mediation, including the basics of securing mediation, selecting a mediator, party submissions, and suggestions during negotiations for motor vehicle, premises, construction, and product liability matters.

Guest Speakers: Mitch Kahn, Mediator, NAM; Steve Z. Gokberk, Kohan Law Group; Giulia R. Marino, Marino & Marino, P.C.; and Brian Gibbons, Wade Clark Mulcahy, LLP

October 16 (Hybrid)

Dean's Hour: How Proper Legal Planning and Home Ownership Can Help Your Clients Age in Place Safely

With NCBA Elder Law, Social Services & Health Advocacy Committee

12:30PM

1.0 CLE Credit in Professional Practice

NCBA Member FREE; Non-Member Attorney \$35

This program with **Lisa R. Valente** (Makofsky Valente Law Group, P.C.) and **Frank Melia, CMPS** (Contour Mortgage) will provide a legal and borrowing overview for families that seek counsel to protect their assets for their family and to protect their home with proper Medicaid planning. The speakers will discuss Medicaid Asset Protection Trusts and other legal strategies for families in 2025 as well as how families with real property held in an irrevocable trust can still access home equity for planning to age in place safely.

October 20 (Hybrid)

Mastering the World of Accusatory Instruments for Criminal Defense Attorneys

With Nassau County Assigned Counsel Defender Plan and NYS Office of Indigent Legal Services, Appellate Defender Council

3:00PM—5:00PM

2.0 CLE Credits in Skills

NCBA Member FREE; Non-Member Attorney \$25

PROGRAMS CALENDAR

Navigating the complex rules of accusatory instruments is an overwhelming task, even for the most seasoned criminal practitioner. This program will provide an up to date and extensive breakdown of the Criminal Procedure Law and relevant case law, focusing on those accusatory instrument issues which regularly impact criminal cases.

Guest Speakers: **Tammy Feman** and **Argun Ulgen**, Legal Aid Society of Nassau County, and **Enrico Purita** and **Claire Zartarian**, New York State Office of Indigent Legal Services

October 22 (Hybrid)

Dean's Hour: Implications of Technology and Social Media for Domestic Violence and Family Court Cases *with NCBA Family Court Law, Procedure & Adoption Committee and Nassau County Assigned Counsel Defender Plan*

12:30PM

1.0 CLE Credit in Professional Practice

NCBA Member FREE; Non-Member Attorney \$35

This program, moderated by Nassau County Family Court Chief Court Attorney **Mili Makhijani**, will explore the implications of technology in domestic violence and Family Court cases. Attendees will learn how batterers use phone technology, social networking, and GPS to circumvent injunctions for protection, supervised visitation, and child custody. **Guiseppe Fricano** with OurFamilyWizard will also discuss how victims of domestic violence can overcome communication issues using mobile and online communication tools designed specifically for high-conflict parents.

October 23 (Hybrid)

Dean's Hour: Representing Clients in SEC Investigations

12:30PM

1.0 CLE Credit in Professional Practice

NCBA Member FREE; Non-Member Attorney \$35

How does the SEC decide whom to investigate? What are clients' rights in an investigation? What turns an investigation into a civil or administrative action? **Paul V. May, Esq.** will provide an overview of the stages of an SEC investigation as well as best practices for representing clients in these investigations.

October 28 (Hybrid)

Recognizing Cognitive Decline in the Legal Profession: Ethical Obligations, Practice Guidance, and Finding Support

With NCBA Lawyer Assistance Program and NYSBA Lawyer Assistance Committee

5:30PM

0.5 CLE Credit in Ethics & Professionalism and 0.5 CLE Credit in Law Practice Management

NCBA Member FREE

This program examines the potential impact of cognitive decline on the practice of law. Participants will learn strategies for preparing your practice for a smooth transition and understand the ethical obligations of legal employers and colleagues under the Rules of Professional Conduct. The panel will provide practical guidance on how to address concerns, support affected attorneys, and connect them with appropriate resources while protecting clients and upholding professional standards.

Guest Speakers: **Stacey Whiteley**, NYSBA LAP; **Carolyn Reinach Wolf**, Abrams Fensterman, LLC; **M. Kathryn Meng**, Meng & Reznak, PC; and **Elizabeth Eckhardt**, LCSW, PhD, NCBA LAP

October 29 (Hybrid)

Dean's Hour: Business Considerations for Estates and Trusts

12:30PM

1.0 CLE Credit in Professional Practice

NCBA Member FREE; Non-Member Attorney \$35

Many estates and trusts hold real estate and business assets. **Robert S. Barnett** and **Gregory L. Matalon** discuss special drafting considerations and tax implications, including proper ability to hold and conduct business, special fiduciary accounting rules and procedures, conflict avoidance, helpful drafting tips, S corporations and partnerships, and tax considerations.

October 30 (In Person Only)

Dracula vs. Nosferatu: Copyright Never Dies...Or Does It?

5:30PM

2.0 CLE Credits in Professional Practice

NCBA Member FREE; Non-Member Attorney \$70

This program resurrects the chilling copyright tale of *Nosferatu*—the 1922 silent film that nearly vanished after a lawsuit from Bram Stoker's estate. **Chris DelliCarpini** and **Sara Dorchak** explore what this classic teaches us about adaptation and infringement, and how works can find new life in the public domain.

These programs are appropriate for newly admitted and experienced attorneys.

The Nassau Academy of Law provides CLE financial aid and scholarships for New York attorneys in need of assistance. For more information, email academy@nassaubar.org at least five business days prior to the program.

**FOCUS:
MENTAL HEALTH**


Elizabeth Eckhardt, LCSW, PhD and Christopher J. Tafone

Lawyers struggle with substance misuse, mental health issues, suicidality, and deaths by suicide in greater numbers than the general public and most other professions.¹ Lawyers are consistently at, or near the top of the list of suicide rates by profession.² Suicide has been reported as the third leading cause of death among attorneys after cancer and heart disease.³

A 2023 study, *Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk*, commissioned by the California and DC Bar Associations concluded that, “the profile of a lawyer with the highest risk for suicide is a lonely or socially isolated male with a high level of unmanageable stress, who is overly committed to their work, and may have a history of mental health problems.”⁴ The authors stated their findings underscore the need for interventions that address work related stress and loneliness in the legal profession.⁵

Results from this study indicate that 8.5% of attorneys thought about hurting themselves or that they would be better off dead, compared to 4.2% of all U.S. adults.⁶ Male lawyers are twice as likely to contemplate suicide.⁷ This was surprising because the research also found that women lawyers had more risk factors such as anxiety, depression and hazardous levels of alcohol use.⁸ Lawyers who are overly committed to their work are also more likely to contemplate self-harm, and lawyers under 30 years of age were most likely to report feelings of suicidal ideation.⁹

Law students are also at risk, with 20% having thought seriously about suicide in their lifetime and 6.3% thought seriously about suicide in last twelve months.¹⁰ Frighteningly, 9.1% have hurt themselves in last twelve months and 17% of those have done so two or more times in the last month.¹¹

Why Lawyers Are Particularly at Risk for Suicide, Mental Health and Substance Misuse

There are several risk factors involved in why lawyers are at particular risk for mental health and substance misuse, including the risk of suicidality. These risk factors include the ability to mask and hide emotions. Lawyers are often confronted with very serious issues when dealing with clients.

Depending on their area of law, many lawyers have to listen to painful

Suicide Prevention: What Every Legal Professional Should Know

stories of abuse, neglect and other traumatic life circumstances. Matrimonial attorneys, immigration attorneys and legal aid attorneys have the highest risk of vicarious and secondary trauma, as well as compassion fatigue and burnout. Often, these attorneys aren’t aware that they are suffering from these challenges until the burden becomes too much to bear, putting them at increased risk.

Many lawyers consider themselves problem solvers and do not seek help for themselves. Lawyers also tend to suffer from maladaptive perfectionism. The high stakes involved in the legal field, coupled with a type A personality, can put lawyers at increased risk. Stigma regarding substance use and mental health issues is also alive and well and further inhibits lawyers from seeking help, as does long hours, overwhelming caseloads, unyielding deadlines and unrealistic expectations of self and others.

Warning Signs

It is important to recognize the warning signs in family, friends, and colleagues, including talking or joking about suicide, isolating behavior, excessive drinking or sleeping. Missing work or giving away possessions, as well as mood changes (depression, apathy, rage or a sudden upbeat mood), are also warning signs.

There are practical steps you can take when confronted with these warning signs. Trust your gut and speak up. Don’t assume that others will notice and step in. Listen with empathy and stay in touch. Create a safe environment by removing or locking up weapons and medications. Call 988 for crisis support and mental healthcare resources. Call 911 if there is immediate danger.

Concern for Older and Retired Attorneys

While there are many risk factors that converge to contribute to suicide risk, older adults who attempt suicide often result in death because they live alone and have greater access to lethal means. Moreover, older adults are more likely to have endured the loss of a life partner and may be dealing with a chronic health issue or the loss of independence. Staying connected to older adults and offering them support can be a lifeline.

Because attorneys often work long hours and struggle achieving work/life balance, their careers play a major role in their identity. As such, retirement can be traumatic for attorneys. The amount of free time, in addition to a perceived loss of identity and purpose, can put older and retired attorneys at greater risk.

What to Do if You Are Concerned About a Friend, Colleague or Family Member

Because lawyers spend so much of their time working, they are in a unique position to notice subtle and not

so subtle changes in the mental health status of their colleagues. Instead of speaking directly to their colleague, lawyers sometimes discuss with each other a colleague’s sudden change in appearance, frequent lateness, neglect of client matters, irritability and isolating behaviors. These are all signs of a serious mental health issue that could put this colleague at risk for suicide. Despite the discomfort it may cause, it is important to trust your gut and reach out directly. The Texas Lawyer Assistance Program recently released a video entitled, *Just Ask: How We Must Stop Minding Our Own Business in the Legal Field*, which encourages lawyers to do just that.¹² Research has shown that asking about suicide does not put the thought in someone’s head. In fact, it can bring relief and be lifesaving.

If you are concerned about someone, open a dialogue and listen with empathy, concern and curiosity. Direct engagement can help ease the fear and tension a person at risk may feel when being confronted. Because suicidal feelings can be foreign to those who have never experienced them, it can be difficult to resist the urge to debate the value of life or to try and fix the problem. The job of a friend or loved one is to create a safe space for those in crisis to talk about their pain. Feeling judged or patronized can push someone further into their depression. If you are unable to approach an attorney or colleague that you are concerned about, please reach out to the NCBA Lawyer Assistance Program (LAP) for assistance.

Because thoughts of suicide are often temporary, creating time for the crisis to pass and distance from lethal methods are crucial, in fact, lifesaving.

How to Help Someone Impacted by Suicide

Watching someone you care about struggle with the pain of a loss to suicide can make you feel helpless. Strong social support can make a big difference. Here are some important tips:

- Don’t say you know how they feel unless you, too, are a suicide survivor. You can share that you don’t know what to say and have no idea what they’re going through, but that you care and want to be there for them.
- Don’t judge the person who died by suicide. Avoid saying they were selfish, weak or cowardly.
- Listen without judgment: let them cry, don’t interrupt, allow expressions of anger, allow them to repeat the story.
- Read about suicide loss to better understand what your loved one is experiencing.
- Don’t wait to reach out, your loved one may be so deep in their grief that they won’t reach out to you.

- Help notify people, offer financial assistance if needed, buy groceries, offer to babysit, bring a meal, sit and watch a movie together, or go for a walk. Offer to help find a therapist or support group.
- Be patient. Your loved one is changed forever. The time after the funeral, when reality kicks in may be the most difficult. Stay in touch.
- Don’t be afraid to talk about the person who died. Your loved one will be grateful. Reach out on holidays and birthdays.
- Remind your loved one to take care of themselves: eat well, rest, go out in nature if possible.
- Connect your loved one with other survivors: Survivors of Suicide Loss Day, AFSP’s Healing Conversations Program.

Being there for a loved one can take a toll on your own mental health. Be sure to take care of yourself. It’s OK for you to reach out for support, too. Call, text or chat 988.

What to Do When You Couldn’t Prevent a Death by Suicide

According to Centers for Disease Control and Prevention Research, suicides and overdoses, also referred to as “deaths by despair,” are among factors that have fueled a drop in U.S. life expectancy.¹³ After decades of living longer and longer lives, Americans are dying earlier and much of the decline stems from higher rates of suicide, opioid overdoses and alcohol-related illnesses.¹⁴ Because the number of deaths by despair is increasing, it is increasingly common to know someone who has died by suicide.¹⁵

When a loved one or someone you know dies by suicide, emotions can be overwhelming. Your grief might be heart-wrenching. At the same time, you might be consumed by guilt—wondering if you could have done something to prevent your loved one’s death. As you or someone you care about faces life after a loved one’s suicide, it is important to know that you do not have to go through it alone.

When coping with the loss of a loved one to suicide, it is important to brace yourself for powerful emotions, such as shock (disbelief and emotional numbness), guilt (replaying what if and if only scenarios), anger at being abandoned by your loved one or at yourself, despair, disorientation and confusion.

You may continue to experience intense reactions during the weeks and months after your loved one’s suicide—including nightmares, flashbacks, difficulty concentrating, social withdrawal and loss of interest in usual activities—especially if you witnessed or discovered the suicide.

Tools to Cope

The aftermath of a loved one's suicide can be physically and emotionally exhausting. As you work through your grief, be careful to protect your own well-being. The following tools may help:

- **Keep in touch.** Reach out to loved ones, friends and spiritual leaders for comfort, understanding and healing. Surround yourself with people who are willing to listen as well as those who'll simply offer a shoulder to lean on when you'd rather be silent.
- **Grieve in your own way.** Do what's right for you, not necessarily someone else. There is no "right" way to grieve. If you find it too painful to visit your loved one's gravesite or share the details of your loved one's death, wait until you're ready.
- **Be prepared for painful reminders.** Anniversaries, holidays and other special occasions can be painful. Don't chide yourself for being sad or mournful. Instead, consider changing or suspending family traditions that are too painful to continue.
- **Don't rush yourself.** Losing someone to suicide is a tremendous blow, and healing must occur at its own pace. Don't be hurried by anyone else's expectations that it's been "long enough."
- **Expect setbacks.** Some days will be better than others, even years after the suicide—and that's OK. Healing doesn't often happen in a straight line.
- **Consider a support group for families affected by suicide.** Sharing your story with others who are experiencing the same type of grief might help you find a sense of purpose or strength. However, if you find going to these groups keeps you ruminating on your loved one's death, seek out other methods of support.
- **Know when to seek professional helps** if you experience intense or unrelenting anguish or physical problems; are depressed or having thoughts of suicide; feel hopeless about the future; or are having trouble with daily activities.

Unresolved grief can turn into complicated grief, where painful emotions are so long-lasting and severe that you have trouble resuming your own life.

You may benefit from individual or family therapy—either to get you through the worst of the crisis or to help you adjust to life after suicide. Short-term medication may be helpful in some cases, or a combination of both therapy and medication.

The Lawyer Assistance Program is here to help. LAP services are free and confidential and are available to lawyers, judges, law students, other members of the legal community and their immediate family members. Please do not hesitate

to contact LAP at (516) 512-2618 or eeckhardt@nassaubar.org. You can also call, text or chat 988 for the Suicide and Crisis Lifeline, or call the Suicide Prevention Lifeline (800) 273-8255 or text 741741.

LAP is currently collaborating with the Long Island Chapter of the American Foundation for Suicide Prevention (AFSP) to bring *Talk Saves Lives: An Introduction to Suicide Prevention* to the legal community. *Talk Saves Lives* is AFSP's flagship suicide prevention education program that covers the scope of this leading cause of death, what the research has found to be the warning signs and risk factors of suicide, and the strategies that prevent it.

Dr. Eckhardt and Christopher Tafone are available to conduct suicide prevention workshops at law firms, legal departments, and law schools. We are happy to say that several law firms and law schools have taken important steps toward educating their employees and students about suicide prevention.

Contact LAP at LAP@nassaubar.org or call (516) 512-2618. 📞

1. *Texas Lawyers' Assistance Program debuts new film targeting depression and suicide among lawyers*, STATE BAR OF TEXAS (May 4, 2021), https://www.texasbar.com/AM/Template.cfm?Section=Press_Releases&Template=/CM/HTMLDisplay.cfm&ContentID=53409.
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3. *Id.*
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14. Case, *supra* note 13; *Deaths and Mortality*, *supra* note 13.
15. See Case, *supra* note 13.



Elizabeth Eckhardt, PhD is Director of the NCBA Lawyer Assistance Program (LAP). Dr. Eckhardt also has a private psychotherapy practice where she has been providing individual, couple and family therapy for more than 25 years. She can be reached at eeckhardt@nassaubar.org.

Christopher J. Tafone, Vice President of SunAmerica Asset Management, LLC, and Associate General Counsel of Corebridge Financial, Inc., provides advice and guidance to the mutual funds that serve as investment options for the Corebridge variable annuities. He serves as a volunteer and board member of the Long Island Chapter of the American Foundation for Suicide Prevention (AFSP). He can be reached at cjtafone@optonline.net.

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**FOCUS:
LAW AND AMERICAN
CULTURE**

Rudy Carmenty

This article is dedicated to the victims of lynching whose names have been lost to history. As the past never dies, may they rest easier that they are not forgotten.

In the summer of 1955, Emmett Till was a fun-loving youngster from the South Side of Chicago. He had just turned fourteen. Like most kids, he played baseball, and the Brooklyn Dodgers were his favorite team. Mammie Till-Mobley's only child, he was the apple of her eye.

That August, Emmett left Chicago to stay with family in Mississippi. He came to Money, a sleepy hamlet nestled in the heart of the Delta. Less than two weeks later, Emmett came home ... in a coffin. Money was fertile soil for many things, racism chiefly among them.

During the early morning hours of August 28, Emmett was murdered. Kidnapped at gun point and sadistically tortured, his disfigured corpse was found in the Tallahatchie River three days later. What was left of him was unrecognizable. By every measure, it was a horrific crime.

It was also a crime that went unpunished. Roy Bryant and J.W. Milam, among others, were responsible. Both men were tried and acquitted in spite of overwhelming evidence. Constitutionally protected against Double Jeopardy, a short time after they admitted in a national magazine they had killed Emmett.

What motivated them could only be understood in light of the racist reasoning and twisted sensitivities of the old South. Emmett purportedly was lynched because he was suspected of making advances, either talking or touching or merely whistling, at a White woman.

Carolyn Bryant, a local beauty, would be referred to in the press as a "Crossroads Marilyn Monroe."¹ She and her husband Roy owned Bryant's Grocery & Meat Market. The store served an exclusively African American clientele. Carolyn and Emmett were alone when their fateful encounter occurred on August 24.

Per Carolyn's sworn testimony, Emmett propositioned her. She testified on the record he asked her: "How

A Murder in Money

about a date, baby?" and grabbed her by the waist.² "Don't be afraid of me, baby," he told her, "I been with White girls before."³ In point of fact, their hands may have only grazed one another as money was exchanged at the counter. Emmett also had a stutter.

Others have claimed, outside the store, Emmett wolf-whistled at Carolyn. What actually happened between them remains unclear to this very day. It is quite possible nothing inappropriate transpired. At the very least, Carolyn's testimony has since its inception been suspect as her story changed many times.

What was certain, was that Emmett was a Black male. Carolyn was a White female. These were two hard and fast facts which could not be reconciled. A Black man, even a fourteen-year-old, coming in close proximity with a White woman was forbidden. More than mere racial etiquette was unsettled.

Emmett violated an unwritten code, a racial/sexual taboo which held dire consequences. Being from Chicago, he was unaware of the transgression. Those from Mississippi realized instantly Emmett was in grave danger. It proved enough to cost him his life.

His mother had warned him of the cruel realities of race relations under Jim Crow. Mamie, having been born in Mississippi, told Emmett "Negroes" needed to be extra-cautious when interacting with White folks down south. As things turned out, she had ample reason for concern.

Carolyn went for her revolver after the incident took place. Emmett and his compatriots fled the scene. By the time her husband Roy returned to Money, word had gotten around. It was something which could not be ignored, forgotten, or forgiven. Roy would have been deemed "a coward and a fool" not to act.⁴

Three nights later, at the home of Reverend Mose Wright, Emmett's granduncle with whom he had been staying, a truck pulled up. Roy and his half-brother J. W. Milam barged into the house looking for Emmett. They went from room to room armed with a Colt .45 automatic and carrying flashlights.

Milam shone a flashlight in Emmett's face demanding: "You the 'N'-word who did the talking?"⁵ Emmett replied: "Yeah."⁶ An enraged Milam countered: "Don't say 'Yeah' to me. I'll blow your head off. Get your clothes on."⁷ Emmett wasn't submissive as expected. Taken at gunpoint, he was marched to the truck.

As they left, Milam threatened Reverend Wright. He told him to keep

quiet about the abduction. Milam: "How old are you, preacher?"⁸ Wright replied, "64."⁹ Milam ominously warned: "If you cause any trouble, you'll never live to be 65."¹⁰ Emmett's relatives would never again see him alive.

On August 31, a boy fishing in the Tallahatchie came across Emmett's mangled remains. He was found naked tied by barbed wire to a cotton gin fan. A positive identification was not possible at first. Confirmation was established by a silver ring from Emmett's father which was found on the body.

In their subsequent published account, Bryant and Milam confessed they brutally beat and shot Emmett in the head. At first, they wanted to "just whip him and scare some sense into him," not kill him.¹¹ Emmett was taken to a barn in nearby Drew where he was mercilessly whipped. He refused to cower before his tormentors.

"We were never able to scare him," Milam conceded.¹² Milam "made up [his] mind to kill him" and throw his body into the Tallahatchie.¹³ However, they needed to weigh down the body. They knew that in Glendora, over in Tallahatchie County, there was an old gin fan made of cast iron that could do the job.

Appallingly, they feared no repercussions from the killing. Yet they suddenly became anxious about being charged with the theft of the gin fan.¹⁴ They searched for a spot to dispose of the body. The most likely place was the Black Bayou Bridge in Glendora. Emmett was found eight miles downstream.

Mamie went to great lengths to ensure that her son's remains returned from Mississippi. Upon opening his coffin in Chicago, she was horrified by what she found. Fortified by her Christian faith and determined to see her son not die in vain, Mamie insisted on an open casket.

The funeral director asked if Mamie wanted the body retouched. Mamie decided not to. "There was just no way I could describe what was in that box. No way," Mamie later said. "I just wanted the world to see what they did to my baby."¹⁵ Emmett's coffin silently spoke volumes.

Thousands came to the Roberts Temple Church of God in Christ to pay their respects. The reaction among mourners walking past the glass-topped coffin was visceral. The viewing provided a catharsis, touching everyone living in the South Side and beyond.

Most Black Chicagoans traced their origins to Mississippi, all had relatives in places like Money. What happened to Emmett could have happened to any Black person in Chicago or throughout the United States. It was this universal quality, amplified by the media, which singled-out Emmett's lynching.

The press coverage transformed a vicious killing in a remote part of the country into an event of national and even international import. More than anything, it was the photos published in *Jet* magazine of Emmett's mutilated body, images that were simply too terrible to ignore, which brought Mamie's anguish into every home.

"Have you ever sent a loved son on vacation," Mamie asked, "and had him returned to you in a pine box so horribly battered and waterlogged that this sickening sight is your son—lynched?"¹⁶ It was a question long ignored. But once Emmett's body was found, it was an issue which could not be swept under the rug.

The charges against Bryant and Milam were upgraded from kidnapping to murder. Their trial was held in Sumner, Mississippi. Reporters and other observers arriving in Sumner were struck by a billboard which read: *SUMNER "A GOOD PLACE TO RAISE A BOY."*¹⁷ That this maxim did not apply if the boy was Black was not lost on Mamie.

The trial lasted five days, from September 19 to 23, 1955. The prosecutors knew they stood little chance of securing a conviction. The defendants acted rather cavalierly during the trial, confident in their chances. Bryant and Milam's family and friends were in the courtroom vociferously rooting for an acquittal.

Under Mississippi law, they faced either life imprisonment or the death penalty if convicted. District Attorney Gerald Chatham presented a compelling case and did a professional job under enormous political pressure. The evidence and testimony presented would have resulted in a conviction almost anywhere else.

It was all for naught. The defense exploited racial fears. During closing arguments, jurors were told their "forefathers would turn over in their graves" if they found the accused culpable.¹⁸ Counsel's bigoted appeal was nothing short of nauseating: "Every last Anglo-Saxon one of you men on the jury has the courage to set these men free."¹⁹

On September 23, after 67 minutes in the jury room, the trial ended with a not guilty verdict. It was astonishing it took that long, but the jurors took a soda pop break so

as to make their deliberations appear respectable.²⁰ The courtroom erupted in cheers as Bryant and Milam lit up cigars and kissed their wives.

Whites Mississippians pronounced themselves satisfied. Many felt Emmett had it coming. Jurors, including those who recognized Bryant and Milam were guilty, voted to acquit because neither life in prison nor the death penalty seemed a suitable punishment for a White person charged with killing a Black person.²¹

One of the trial's more stirring moments was when Mose Wright took the stand. He demonstrated dignity and courage by coming forward. "I wasn't exactly brave, and I wasn't scared," Reverend Wright recalled, "I just wanted to see justice done."²² Other Black witnesses, risking death, soon left Mississippi after rendering their testimony.

Emmett's story could have ended in unrequited sorrow. The history of lynching has been such, far too many victims have been forgotten, their names lost to history. Emmett's case turned out otherwise thanks to the determined efforts of his mother. Mamie Till-Mobley was a woman for all seasons.

She used her pain in the service of a greater cause. Because of her love for Emmett, Mamie fashioned a potent legacy born of a great injustice. Frankly, there were two injustices. The underlying crime of Emmett's murder and the resulting legal proceedings which saw his killers set free.

Young Till's lynching became a festering wound on the conscience of the nation. It transfixed the Black community. The case lit a fire that manifested itself in the burgeoning Civil Rights Movement of the 1950s and 1960s. Emmett's ordeal was not in vain. It proved a pivotal moment in history. The South was never the same.

That December, an Alabama seamstress named Rosa Parks refused to surrender her seat on a segregated bus. The Montgomery Bus Boycott was launched. From Montgomery emerged a leader who preached "the arc of the moral universe is long, but it bends toward justice."²³ That man was named Martin Luther King, Jr.

At last, in 2022, Congress passed The Emmett Till Antilynching Act. This law defines lynching as a federal hate crime punishable up to thirty years in prison. The Till Act amends section 249(a) of Title 18 of the U.S. Code:

(5) LYNCHING.—Whoever conspires to commit any offense under paragraph (1), (2), or (3) shall, if death or serious bodily injury (as defined in section 2246 of this title) results from the offense, be imprisoned for not more than 30 years, fined in accordance with this title, or both.²⁴

Even so, a troubling question lingers. Why was Emmett killed? Did he lose his life because he whistled or said something or touched someone in violation of a racial trope? Or was there more to it? What animated Milam and Bryant went beyond a sexual taboo. After all, Emmett didn't say "Yes Sir" to Milam when he was first seized.

Covered under the Fifth Amendment's prohibition regarding Double Jeopardy, Bryant and Milam sold their story to *Look* Magazine for \$4,000.²⁵ They profited handsomely from their crime. In print, Milam expressed neither remorse nor regret: "What else could we do? He [Emmett] thought he was as good as any White man."²⁶

Evidently, what angered them most was Emmett's belief in his own human dignity. Emmett defied a stereotype of enforced subservience, his murderers' expectation he thought of himself as an inferior. It would be this same defiance that would change the face of America.

The acquittal of Bryant and Milam represents a breakdown of our legal system. The circumstances behind Emmett's lynching speak to a broader societal failure. What happened in August 1955 was not some southern Gothic tale. It was an epic tragedy which still haunts us seven decades later. ⚖️

1. David Halberstam, *The Fifties*, (1st Edition 1993) 432.

2. William Bradford Huie, *The Shocking Story of Approved Killing in Mississippi, Killers Confession in Look* (January 1956), UMKC Law school at <https://law2.umkc.edu>.

3. Halberstam, *supra*, 433.

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5. *Id.*

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9. *Id.*

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12. *Id.*

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15. Jami Floyd, *The Ghost of Emmett Till*, *Medium* (August 28, 2022) at <https://medium.com>.

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21. Huie, *supra*.

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23. Martin Luther King Jr., 'The arc of the moral universe is long, but it bends towards justice', *Our God is Marching On* (How Long, Not Long) - 1965, *Speakola*, at <https://speakola.com>.

24. Pub.L. 117-107.

25. Halberstam, *supra*, 434.

26. Huie, *supra*.



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(17) Publication of Statement of Ownership. If the publication is a general publication, publication of this statement is required. Will be printed in the October 2025 issue of this publication.

(18) I certify that all information furnished on this form is true and complete. Elizabeth Post, Executive Director, September 30, 2025.

New Members

Jessica Anne Carrier Esq.	Gian-Carlo G. Delaurentiis
Lisa A. Corso Esq.	Kayla Flood
Sheree Donath Esq.	Ryan J. Gallagher
Victoria Drake Esq.	Nicholas Geonie
Alexis Nicole Epstein Esq.	Veronika Gomes
Christine Francoeur Esq.	Veronica Harris
Joanna Hazelton Esq.	Madison Jade Honig
james William Jankowski Esq.	Sean Adam Jaafar
Zachary Kravat Esq.	Neil Jacob
Eva Pharsi, Paralegal	Ekjot K. Jaswal
Daniel Rabinowitz Esq.	Ariel Khavasov
Anthony Christopher Roman-Lann Esq.	Chelsea Kingston
Kristina Sgambati Esq.	David Klein
Jay Paul Sheryll Esq.	Rebecca Dechang Kranich
Jeremy Ethan Silbert, Paralegal	Jeremy Masterson
Randy O. Smith Esq.	Kaitlyn Marie Menze
Peter Sullivan Esq.	Miracle Chinyere Onuoha
Allen Joseph Underwood, II Esq.	Mariana Pontes
	Vivyan Razeq
	Sneha Sajan
	Piero Saune Casas
	Callie Shapiro
	Fardin Sheikh
	Zakir M. Siddiqui
	Nicholas Salvatore Spano
	Joshua Sparro
	Maria Daniela Velez-Smith
	Dominik David Zadlo
	Xinfang Zhang

A New Era for Family Justice

Continued from Page 1



multiple languages, secure wi-fi, multiple waiting rooms equipped with power outlets, and numerous private conference rooms for confidential communications and negotiations. A welcome feature for the litigants is a well-positioned and fully staffed information desk to assist them with their needs.

For attorneys who practice in the areas of matrimonial and family law, having the Matrimonial Center and Family Court in a central location is a game changer. The Supreme and Family Courts will be able to coordinate more seamlessly, making efficient use of judicial resources, and allowing matrimonial litigants to access services that were once exclusive to the Family Court. The combined courts could present more opportunities for collaboration and negotiations between attorneys.

“The new Nassau County Matrimonial and Family Court Complex is a beautiful, state-of-the-art courthouse that divorce and family law attorneys can be proud to call their own,” states Joseph DeMarco, partner at Schlissel Ostrow Karabatos, PLLC, in Garden City, and Chair of the NCBA Matrimonial Law Committee. “Housing both the Supreme Court and Family Court under one roof allows us to represent clients more efficiently, in a setting that reflects the importance of the work we do as matrimonial attorneys,”

The courthouse is three floors with the public entrance from the parking lot welcoming visitors to the second floor. The first and second floors of the building are the new home of the Nassau Family Court, with the Family Court Clerk’s Office located on the second floor. The Family Justice Center, Children’s Center, and Department of Social Services are located on the first floor. The new Supreme Court Matrimonial Center is housed on the third floor along with the Matrimonial Center Clerk’s Office.

The complex is divided into four quadrants stylized after the compass: Northwest, Northeast, Southwest, and

Southeast. The large digital screens near the elevators display the location of each courtroom and other useful information. For the time being, attorneys should continue to check in for their Family Court appearances with the court officers or courtroom clerks. The Matrimonial Center judges request prompt check-ins with court officers or by calling Chambers, especially if an attorney has multiple appearances for the day.

The lawyer’s lounge on the first floor is a fully functional workspace complete with desks, comfortable seating, and a fully stocked vending machine. The Children’s Center, a staple of the Nassau Family Court, is now available for litigants at the Matrimonial Center as well. The updated Children’s Center is a North Shore Child & Family Guidance Center program that meets the national standards for developmentally appropriate learning practices and provides children under twelve with a safe environment while their parents or guardians attend proceedings. The Children’s Center is located on the west side of the building on the first floor.

As attorneys, judges, and court staff settle into our new and improved surroundings, we must remember that this building represents a long overdue moment of transformation for family justice in our county. In bringing together Matrimonial and Family Court functions, integrating smart technology, and centering the needs of families, including the need for access and dignity, the complex sets the new standard for what matrimonial and family law practice should look like in Nassau County. 🗡️



Adina L. Phillips is an Associate with Gassman Baiamonte Gruner, P.C., where she practices matrimonial and family law. She is also Co-Chair of the NCBA Association Membership

Committee. She can be reached at aphillips@gbgmatlaw.com.

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Join us for an evening of delicious food, lively entertainment and more as we celebrate the triumph of light over darkness!

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Domus FRIDAY | 24 | OCTOBER
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Traditional or colorful attire welcomed!

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WE CARE

Thanksgiving

BASKET DONATIONS

Each year, the WE CARE Fund provides 200 boxed Thanksgiving dinners with all the trimmings to be delivered to families in need on Thanksgiving.

Please consider donating \$125 to help WE CARE provide two dinners to families in need this year.

To make a donation or for more information, contact Emma Grieco at 516.747.4071 or egrieco@nassaubar.org

We Acknowledge, with Thanks, Contributions to the WE CARE Fund



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Join the WE CARE Fund at the 2025 Light the Night Walk

The WE CARE Fund invites you to sign up and join our team for an inspiring and impactful event to benefit the Leukemia & Lymphoma Society.

Registration is **FREE**. Donations are optional and appreciated. This is a lively, family-friendly event with music, fireworks and more.

18
OCTOBER

**Harry Chapin Lakeside Theater**
Eisenhower Park
Merrick Ave
East Meadow, NY 11554

WHAT TO EXPECT:

5:30 PM: Arrive, check-in and all who registered in advance will receive a lantern.

7:00 PM: Opening ceremony which will feature a collective moment where all participants will raise and release their lanterns symbolizing our shared journey of support, hope and healing.

7:15 PM: An optional walk around the lake in the park. The walk is approximately one mile.

8:15 PM: Fireworks Finale

EVERYONE WHO REGISTERS FOR OUR TEAM AND PARTICIPATES WILL BE ENTERED INTO AN EXCLUSIVE RAFFLE GIVEAWAY!

SCAN THE QR CODE TO REGISTER!



Golf and Tennis Classic

The 29th Annual WE CARE Golf and Tennis Classic, held on September 15 at Mill River and Brookville Country Clubs, brought together 240 golfers and 400 dinner guests for an unforgettable event. With amazing weather, a raffle room with over 100 baskets, and a live auction, WE CARE raised vital funds that directly support the Nassau County community. A huge thank you to all who attended and supported the event, as well as to honorees Gregory S. Lisi, Howard M. Stein, and Hon. Stacy D. Bennett, recipient of the Stephen Gassman Award.



Photos by Hector Herrera

BBQ at the Bar

On Thursday, September 4, more than 300 Members gathered on the lawn at Domus for an evening of camaraderie, great food, and networking to kick off the new Bar year. The NCBA Annual BBQ at the Bar featured sponsor tables, merchandise sale, giveaways, and baskets raffled by the Lawyer Assistance Program (LAP). NCBA President James P. Joseph delivered a warm welcome and shared his vision for the year ahead. With a strong turnout and enthusiastic participation, the evening set a positive and energetic tone for the upcoming Bar year.



In Brief

The *Nassau Lawyer* welcomes submissions to the IN BRIEF column announcing news, events, and recent accomplishments of its current members. Due to space limitations, submissions may be edited for length and content. PLEASE NOTE: All submissions to the IN BRIEF column must be made as WORD DOCUMENTS.

Alan J. Schwartz has been appointed Associate Village Justice of the Incorporated Village of Huntington Bay. Schwartz is the Principal & Managing Attorney of the Law Offices of Alan J. Schwartz, PC, Garden City, and the Associate Village Justice of the Incorporated Village of Centre Island.

Forchelli Deegan Terrana LLP congratulates Partner **James C. Ricca**, the firm's Chairperson of the Banking & Finance practice group, on being selected as a 2025 *Long Island Business Influencer: Law*. Partner **Gregory S. Lisi**, Chair of the firm's Employment & Labor practice group, was selected to be an Honoree

of the WE CARE 2025 Golf & Tennis Classic.

Former NCBA Matrimonial Law Committee Chair, **Lee Rosenberg**, of Rosenberg Family Law PC, was peer selected as "Lawyer of the Year" in Family Law, Long Island for 2026 by Best Lawyers in America. He is President-Elect of the American Academy of Matrimonial Lawyers NY Chapter.

Sahn Ward Braff Coschignano PLLC congratulates Co-Managing Member **Michael H. Sahn** for being named to *Best Lawyers®* in Land Use and Zoning and Partner **Joshua Brookstein** on being

named to *Best Lawyers®* in Land Use and Zoning, along with Municipal Law.

Berkman Henoch Peterson & Peddy, PC is proud to announce that Associate **Martin E. Valk** who leads the firm's Tax Certiorari, has been elected Governor-Elect of the New York District of Kiwanis International.

Capell Barnett Matalon & Schoenfeld LLP Founding Partner **Robert S. Barnett** and Partner **Erik Olson** presented a webinar for multiple NYS Society of CPAs communities on September 16 on "Earnings and Profits Including S Corporation Distributions

and Considerations." Barnett and Partner **Gregory L. Matalon** will be presenting a Dean's Hour on "Business Considerations for Estates and Trusts" for the Nassau Academy of Law on October 29. Partner **Yvonne R. Cort** and a representative of the NYC Dept of Finance will be speaking at the annual Accounting and Tax Symposium in November 2025, on New York State and New York City audits and collection.

Robert J. Kurre, Managing Partner of Kurre Schneps LLP, has been selected for inclusion in the 31st edition of *The Best Lawyers in America®* for Elder Law for the twelfth consecutive year.

CALENDAR | COMMITTEE MEETINGS

COMMITTEE CHAIRS

Access to Justice

Alternative Dispute Resolution

Animal Law

Appellate Practice

Asian American Attorney Section

Association Membership

Awards

Bankruptcy Law

Business Law Tax and Accounting

By-Laws

Civil Rights

Commercial Litigation

Committee Board Liaison

Community Relations & Public Education

Conciliation

Condemnation Law & Tax Certiorari

Construction Law

Criminal Court Law & Procedure

Cyber Law

Defendant's Personal Injury

District Court

Diversity & Inclusion

Education Law

Elder Law, Social Services & Health Advocacy

Environmental Law

Ethics

Family Court Law, Procedure and Adoption

Federal Courts

General, Solo & Small Law Practice Management

Grievance

Government Relations

Hospital & Health Law

House (Domus)

Immigration Law

In-House Counsel

Insurance Law

Intellectual Property

Judicial Section

Judiciary

Labor & Employment Law

Law Student

Lawyer Referral

Lawyer Assistance Program

Legal Administrators

LGBTQ

Matrimonial Law

Medical Legal

Mental Health Law

Municipal Law and Land Use

New Lawyers

Nominating

Paralegal

Plaintiff's Personal Injury

Publications

Real Property Law

Senior Attorneys

Sports, Entertainment & Media Law

Supreme Court

Surrogate's Court Estates & Trusts

Veterans & Military

Women In the Law

Workers' Compensation

Samuel J. Ferrara and Rezwanul Islam

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Maria L. Johnson and Cheryl L. Katz

Gary Port

Rebecca Sassouni and Melissa Holtzer-Jonas

Craig J. Tortora

MONDAY, OCTOBER 6

Publications

12:45 p.m.

WEDNESDAY, OCTOBER 8

Real Property Law

12:30 p.m.

THURSDAY, OCTOBER 9

Education Law

12:30 p.m.

THURSDAY, OCTOBER 9

Defendant's Personal Injury

12:30 p.m.

THURSDAY, OCTOBER 9

Community Relations & Public Relations

12:45 p.m.

TUESDAY, OCTOBER 14

Access to Justice

12:30 p.m.

TUESDAY, OCTOBER 14

Labor & Employment Law

12:30 p.m.

WEDNESDAY, OCTOBER 15

Business Law, Tax & Accounting

12:30 p.m.

WEDNESDAY, OCTOBER 15

Mental Health Law and Women in the Law

12:30 p.m.

WEDNESDAY, OCTOBER 15

Jennifer Monness, Founder and Director of JLM Wellness, will speak on "Find Your Focus: Mindfulness Practices for Enhanced Performance."

THURSDAY, OCTOBER 16

Association Membership

12:30 p.m.

WEDNESDAY, OCTOBER 22

Medical-Legal

12:30 p.m.

WEDNESDAY, OCTOBER 22

Surrogate's Court Estates & Trusts

5:30 p.m.

WEDNESDAY, OCTOBER 22

Diversity & Inclusion

6:00 p.m.

WEDNESDAY, OCTOBER 29

Sports, Entertainment & Media Law

12:30 p.m.

THURSDAY, OCTOBER 30

Commercial Litigation

12:30 p.m.

WEDNESDAY, NOVEMBER 5

Real Property Law

12:30 p.m.

WEDNESDAY, NOVEMBER 5

Elder Law, Social Services & Health Advocacy

12:30 p.m.

THURSDAY, NOVEMBER 6

Publications

12:45 p.m.

THURSDAY, NOVEMBER 6

Community Relations & Public Relations

12:45 p.m.

NCBA Student Mentor Program

The Nassau County Bar Association's Student Mentor Program, beginning its twenty-ninth year, is comprised of attorneys and judges who donate their time to provide support and guidance to students in 16 middle and elementary school schools in the Jericho, East Meadow, Great Neck, Hempstead, Uniondale and Westbury School Districts. The program takes place from mid-October to early May and culminates in a luncheon at Domus.

Students are selected by their respective school social workers or guidance counselors. Each student is paired with a mentor for a 30-45-minute, one-on-one session one day a week, every other week, from 8:00am to 8:45am. The Student Mentor Program offers the young students and their mentors an opportunity to develop a meaningful relationship with each other.

ARE YOU INTERESTED IN MAKING A MEANINGFUL IMPACT IN A STUDENT'S LIFE?

An informational panel discussion about the NCBA Student Mentor Program will be held on Monday, October 20, from 12:15 to 1:45pm at Domus. Contact Stephanie Pagano at spagano@nassaubar.org or Alan Hodish alhodish@aol.com for details.



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SEE WHAT'S NEW WITH LAP

Thank you to all who purchased raffle tickets at BBQ at the Bar to support LAP!

The Lawyer Assistance Program is happy to announce the return this fall of its weekly Counselors Connect Support Group series and bi-weekly ADHD Support Group Series, both offered via Zoom.

- The **Counselors Connect Support Group** meets every Tuesday from 1:00PM to 1:45PM. Topics of discussion include stress reduction, time management, procrastination, work/life balance, and more.
- The **ADHD Support Group** runs alternate weeks on Thursdays from 12:30PM to 1:30PM. Upcoming meeting dates are October 9 and 23 and November 6 and 20.

To join the **Counselors Connect Support Group** or **ADHD Support Group**, register online for one or more of the sessions on the NCBA website at www.nassaubar.org/calendar.

LAP and the American Foundation for Suicide Prevention (AFSP) are taking suicide prevention training on the road! LAP Director Beth Eckhardt, PhD, and Christopher Tafone, Esq., certified AFSP trainer and member of the Long Island Chapter of AFSP, are bringing "Suicide Prevention for Legal Professionals" to law firms, law schools and legal departments throughout Long Island.

LAP also offers programs to legal professionals that focus on lawyer wellbeing and productivity, Model Policy for Law Firms/Legal Departments Addressing Impairment, Rules of Professional Conduct, monitoring and diversion, and more!

The NCBA Lawyer Assistance Program is directed by Beth Eckhardt, PhD and the Lawyer Assistance Committee is chaired by Dan Strecker, Esq. LAP is supported by funding from the NYS Office of Court Administration, the WE CARE Fund, and Nassau County Boost. *Strict confidentiality protected by Section 499 of the Judiciary Law.

Lawyer Wellness Corner

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The Nassau County Bar Association Lawyer Referral Information Service (LRIS) is an
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as a benefit to active members of the Nassau County Bar Association.



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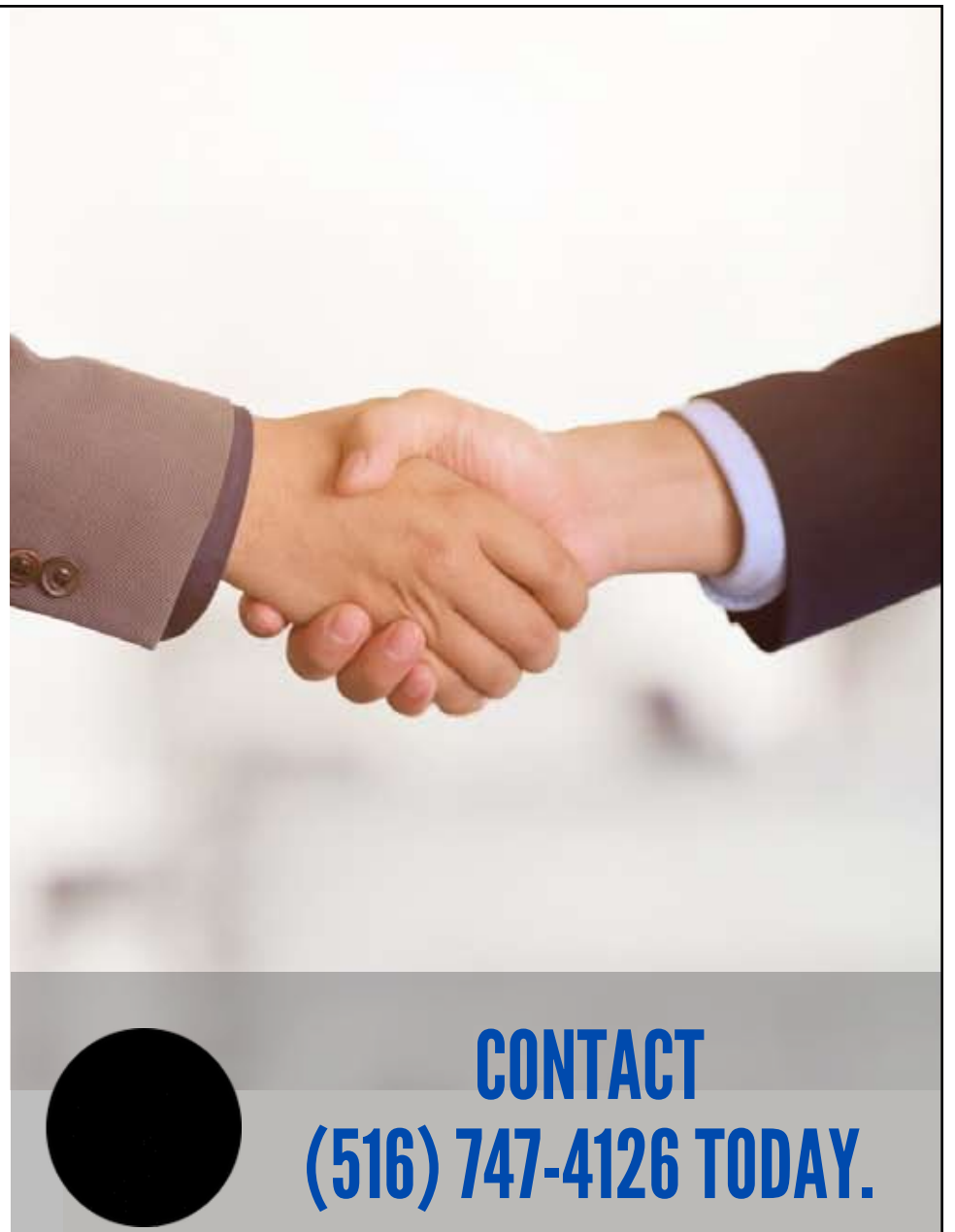
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