



**Rockland County
Bar Association**

337 North Main Street, Suite 1; New City, NY 10956; rocklandbar.org

NEWSBRIEF

FEBRUARY 2026

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From the President

"I have a lifetime appointment and I intend to serve it. I expect to die at 110, shot by a jealous husband."

Hon. Thurgood Marshall, (1908-1993)

Thurgood Marshall was America's first Black Supreme Court justice, having been nominated by President Lyndon Johnson and confirmed by the U.S. Senate in 1967. Mr. Justice Marshall served on the Court from 1967 through his retirement in 1991. Gallows humor aside, he died – of natural causes – on January 24, 1993 in Washington D.C., at age 84.

Marshall was the key strategist in the battle to end racial segregation in America.¹ His legacy cannot be overstated; he effectively plotted the demise of *Plessy's* "separate but equal" doctrine. During oral argument before the Supreme Court in *Brown v Board of Education*, Thurgood answered Justice Frankfurter's question providing his (Thurgood's) concept of equal, ... "equal means getting the same thing, at the same time and in the same place."

More than a decade before *Brown*, Thurgood Marshall in 1943, successfully petitioned the New York State Department of Education to desegregate Hillburn's schools. Prior to that petition, Hillburn's Black students attended the Brook School, a wood structure that had neither library, gymnasium or indoor bathrooms; whereas the Main School, attended by white children, included a library, a gymnasium and indoor plumbing. Following the state education commissioner's ruling, the school district's artificial boundaries were moved and Main School's doors were open to all of the village's children, thus obtaining for petitioner's "the same thing, at the same time *and* in the same place." Today, the Main School is utilized as the district's administration building and is listed on the national register of historic places where a commemorative outdoor plaque describes Marshall's significant legacy in local and national civil rights advocacy.

Reflecting on the law's limits – near the end of a life spent advancing the cause for equality and freedom – Thurgood Marshall offered the following truth:

"The legal system can force open doors and sometimes even knock down walls. But it cannot build bridges. That job belongs to you and me. Afro and White, rich and poor, educated and illiterate, our fates are bound together. We can run from each other but we cannot escape each other. We will only attain freedom if we learn to appreciate what is different and muster the courage to discover what is fundamentally the same. America's diversity offers so much richness and opportunity. Take a chance, won't you? Knock down the fences that divide. Tear apart the walls that imprison. Reach out, freedom lies just on the other side. We should have liberty for all."

¹ See the 2025 PBS documentary, *Becoming Thurgood, America's Social Architect*, pbs.org/video/becoming-thurgood-americas-social-architect-mssj3y.

Valentine's Day

In America, and in other places around the world, friends and lovers exchange flowers and gifts on February 14. The history of Valentine's Day is something of a mystery. We do know that February has long been celebrated as a month of romance. There was a commonly held belief in the Middle Ages that the avian mating season commenced on February 14, which contributed to the idea that Valentine's Day was an occasion for romance. Chaucer is credited as having first recorded Saint Valentine's Day as a day for romantic celebration penning in 1375, his poem "Parliament of Fowls,"² "*For this was sent on Seynt Valentyne's day / When every foul cometh ther to choose his mate.*"

Americans probably began exchanging hand-made valentines in the early 1700's. The first mass-produced valentines were sold in the 1840's. According to Hallmark, more than 145 million Valentine's Day cards are exchanged each year, making it the second most popular card-sending holiday of the year.

* * *

CLE announcement: This month and next, the Association's CLE committee is offering some interesting and informative programs (*see* the RCBA/CLE schedule elsewhere in this month's NewsBrief). Two programs of interest are *Digital Assets*, which is a continuation of last year's Surrogate's Court Practice series which will be presented on February 26, and *Landlord-Tenant Practice, 2026*, on March 10. Program participation is free for RCBA members.

Happy Valentine's Day, and remember, "A heart is not judged by how much you love, but by how much you are loved by others" – *The Wizard of Oz*.

West Nyack, New York
February 4, 2026

Respectfully,

Rick

Richard A. Glickel
RCBA President, 2025-26
rglickel@glickelaw.com

² To this day, a group (flock?) of owls are called a "*parliament*." Swimming swans are a *regatta*; flying swans are a *squadron*. Flamingos are a *flamboyance*. Most appropriately, perhaps, a gathering of vultures constitute a *committee*.

THE PRACTICE PAGE

ANNUAL UPDATE OF RECENT STATUTORY AMENDMENTS

Hon. Mark C. Dillon *

This is an annual topic for this column, taking note of new or amended statutes and rules that affect practitioners in New York which have become effective during the past calendar year.

CPLR 1007

A significant amendment of CPLR 1007 becomes effective on April 18, 2026 (S8071, A8728). The amended statute requires that going forward, third party actions be commenced within 60 days of the defendant/third party plaintiff's answer where the claim is contractual or within 60 days from becoming aware that the impleaded party may be liable; second third party actions must be commenced within 45 days of those events; third third party actions within 30 days; and any successive impleaders within 20 days (CPLR 1007[b][1-4]). The purpose of the amendment is to control litigation delays. Service upon all such impleaded parties is to be accomplished within 20 days of filing (CPLR 1007[a]), which is different than the general 120-day service of process rule of CPLR 306-b. Court orders are required for any time extensions for impleaders that would exceed 30 days from the statutory deadlines (CPLR 1007[b][5]). No third party action may be commenced after the filing of a note of issue in the primary action. If the post-note rule is violated, the third party action "shall" be severed or dismissed without prejudice (CPLR 1007[c]). Exceptions in the amended law are limited to grave injury cases under the workers' compensation law (CPLR 1007[d]).

The math of the amended CPLR 1007 is clear where there is a contractual relationship between the third parties, unless, perhaps, if the existence of a contractual relationship is an issue in and of itself. In tort, the identity of third parties is sometimes not revealed until some discovery has been conducted. The amended statute provides the tort bar with some flexibility, to implead within 60 days from when the defendant "becomes aware" that a target third party defendant is or may be liable for all or part of the plaintiff's claim. "Becomes aware" sounds like actual notice rather than the constructive variety, and pinpointing the date of awareness, with or without discovery, might provide fodder for future litigation in determining whether impleaders are timely brought in given instances.

CPLR 2106

For the third time in as many years, CPLR 2106 has been amended to expand the circumstances under which witnesses may now use affirmations in lieu of affidavits. Each successive amendment was necessitated to address ambiguities in the prior version. The latest version of CPLR 2106, effective November 21, 2025, itemizes the circumstances where the affirmation

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procedure may be used, such as in executing responses to notices to admit, answers to interrogatories, verifying pleadings and bills of particular, and to remove any further doubt, “any other sworn statement.” Certificates qualify as well, presumably including but not necessarily limited to those required for the admissibility of hospital and municipal records under CPLR 4518(c), and attorney certificates in certain actions subject to CPLR 3012-a and 3012-b.

The latest version of CPLR 2106 notes certain exceptions where affidavit procedures are still required. For instance, the statute still requires that persons swear to the truth of their statements at depositions, in taking oaths of office, and whenever an oath is required to be taken before a specified person. Moreover, the DRL controls over CPLR 2106 whenever matrimonial agreements are required to be acknowledged in the same form as a deed.

Still unclear is how the courts and the bar should treat witness’s corrections to deposition transcripts (CPLR 3116[a]). While the newest version of CPLR 2106 permits affirmations in lieu of “any other sworn statement,” deposition corrections are an extension of the deposition itself where the witness’s testimony was taken under oath before a notarial stenographer. It is recommended that out of an abundance of caution, practitioners continue using affidavits to correct deposition transcripts, subject to future legislative or decisional guidance.

The language of the statute is limited to “an action in New York.” By its terms, the language applies only to state litigations. Therefore, for non-litigation matters such as banking transactions, college applications, or good character recommendations required by the character and fitness committee for the admission of new attorneys to the bar, affidavits may continue to be required.

GUBERNATORIAL VETOES

Governor Hochul vetoed at least four pieces of legislation during the third week of December, 2025, which would have notably affected New York litigations. One was her fourth veto of the Grieving Families Act for EPTL 5-4.3 (S4423, A6063) which, if signed, would have expanded compensable damages for wrongful death to include the “grief and suffering” of the decedent’s “close family members,” as defined, and with certain exceptions. EPTL 5-4.1 would have also been amended to extend the statute of limitations for wrongful death claims by an additional year. The governor’s veto message cited concerns about insurance premiums and increased stress on healthcare systems.

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The Governor vetoed a proposed amendment to CPLR 1405 (S5170, A3351) which, if signed, would have permitted plaintiffs to directly recover damages from third party defendants liable for contribution or indemnity, if the judgment is not collectible from the direct defendant within 30 days from its service on the defendant. The amended legislation included certain narrow exceptions. Had the amendment been signed, plaintiffs would have been able to secure recoveries from parties they had never sued, and for whom there is perhaps no privity, which is part of the reason for the governor's veto of the bill.

The governor likewise vetoed an amendment to CPLR 5003-c (S8185, A8706). Had it been signed, the settlement of any tort claim within 30 days of the underlying occurrence would be voidable at the option of the claimant-releasor. The legislative intent was to prevent high-pressure or other unfair settlement practices before claimants have sufficient opportunity to consult counsel or to fully consider their options.

Finally, Governor Hochul "tabled" the enactment of a new CPLR 301-a (S8186, A8303), which effectively killed it with the legislature in recess at the time. The legislative amendment would have recognized the state's general jurisdiction over out-of-state entities which register to do business in New York. Similar proposed legislation has been vetoed on two earlier occasions. Had the legislation been signed, out-of-state corporations would have been subject to suit in New York for causes of actions with or without any particular connection to the state. Governor Hochul vetoed the bill in the belief that the amendment would be bad for attracting businesses into New York.

*Mark C. Dillon is a Justice of the Appellate Division, 2nd Dep't.,
is an Adjunct Professor of New York Practice at Fordham Law School,
and is a contributing author of the CPLR Practice Commentaries in McKinney's.

The Tradition Continues

For over four decades, the Rockland County Bar Association has offered its Spring CPLR Update presented by Patrick M. Connors, Distinguished Professor of Ethics and New York Civil Practice at Albany Law School and author of the treatise “David D. Siegel & Patrick M. Connors, New York Practice”, which is often cited as the “Bible” for New York litigation.

Professor Connors’ live (and lively) 3-hour webinar is an indispensable fast-paced update of the most recent developments in New York civil practice and procedure that is appreciated by both experienced litigators and less seasoned practitioners.

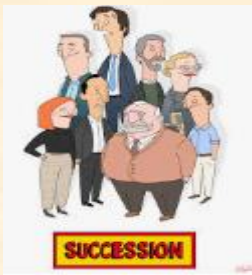
Mark the date and register on the RCBA website for Professor Connors’ 2026 CPLR Update presented by the Rockland County Bar Association’s Committee for Continuing Legal Education.

Date: Wednesday, May 13, 2026

Time: TBD

Where: Via Zoom

See you May 13!



Succession

The Emotional Side of Exit

By Judith Bachman

Much of the discussion around succession planning focuses on the mechanics and value of an exit. Those issues are critical. But there is another dimension of exit planning that receives far less attention and can be just as consequential. That is the emotional side of leaving practice.

Lawyers are deeply identity-driven professionals. For many of us, the practice of law is not just what we do. It is who we are. When it comes time to step back, that identity shift can be disorienting.

The emotional weight helps explain why many lawyers delay succession planning or avoid it altogether. Succession planning forces us to confront hard questions like 'Who will I be when I am no longer practicing?' 'How will I fill my days?' Without answers to those questions, even the best-laid exit plans can feel uncomfortable or premature.

For that reason, post practice planning should be part of any succession strategy. Lawyers contemplating exits must devote time and energy to thinking about life after the law. Take advantage of the many resources available to help. Consider joining senior lawyer discussion groups sponsored by the New York State Bar Association or the New York City Bar Association. Read a book like "How to Retire and Not Die" by Gary Sirak.

Life after leaving the law can be anything from mentoring, teaching, writing, volunteering, or pursuing interests that were sidelined during busy years of practice. Some lawyers remain involved as consultants or of counsel. Others find fulfillment in entirely new pursuits. What matters is that these possibilities are considered intentionally, rather than discovered by accident after the fact.

Addressing the emotional side of exit can also make the practical transition smoother. Lawyers who feel confident about what comes next are often more willing to delegate, share control, and trust successors. That, in turn, benefits clients, colleagues, and the long-term health of the firm.

Succession planning is not only about preserving firm value or ensuring continuity. It is also about preparing yourself for the next chapter. A successful exit is one where both the practice and the lawyer are positioned to thrive.

NOMINATIONS FOR AWARDS

We have a membership composed of many outstanding attorneys. Each year we recognize those that are nominated by their peers for outstanding service to the organization, the community and the law. **If you would like to nominate someone for one or more of our awards, please fill out this form and e-mail it to veronica@rocklandbar.org.**

Final decisions are made by our Board of Directors at an upcoming Board Meeting. Please submit your nominations as soon as possible.

THE LIBERTY BELL AWARD This award is presented on Law Day to a member of our Community for outstanding service in promoting a better understanding of or respect for the Constitution, the Bill of Rights and our institutions of government. Generally this award is given to a non-lawyer.

I wish to Nominate: _____

THE STERNS AWARD Given in the memory of Richard Sterns to a RCBA member who has made significant contributions to the Bar Association and the People of Rockland County over the year - service above self on behalf of the association. This award is presented at the Installation Dinner in June.

I wish to Nominate: _____

THE JOSEPH G. BALSAMO AWARD This award is presented at the June Installation Dinner in memory of Joseph G. Balsamo, Esq., to an RCBA member who has gained significant respect from the members of the Bar and the public for his or her personal and professional contributions to both, while maintaining the highest form of integrity and professionalism while advocating for each.

I wish to Nominate: _____

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 ++ N.J. Cert. Civil Trial Attorney

COMMERCIAL LITIGATION ISSUES OF INTEREST

Submitted by Joseph Churgin, Esq. and Susan Cooper, Esq.*

Your client guaranteed a note securing the then-outstanding debt owed by your client's LLC under a receivables purchase agreement. Pursuant to the agreement, your client's LLC (as seller) received funds in return for selling to the funder (as purchaser) a percentage of the LLC's future receivables. Payment was due within the 24-month term of the agreement. The agreement provided for your client's company to indemnify the purchaser for any outstanding balances due on the receivables. If your client's company were to declare bankruptcy, the agreement would be terminated and all balances due would be immediately payable. The note provided for a default interest rate of 18% . The note is in default. Your client's guaranty waived all defenses and presentment of notice. The purchaser sued your client under the guaranty for the amount owed under the purchase agreement, and immediately moved for summary judgment. You opposed summary judgment arguing that purchase agreement is really a loan with a criminally usurious interest rate.

Will you succeed in defeating the motion for summary judgment?

The answer is yes.

The claims in *Blue Elephant Specialty Finance Fund, LP v. Gaspard & Menon Construction, LLC* (Docket No. 61698/2025, N.Y.L.J. January 16, 2026 [Sup. Ct. Westchester Co., November 10, 2025]), arose from a receivables purchase agreement dated February 2019, as later amended in 2021. The agreement and the amendment were between plaintiff (as purchaser) and Gaspard & Morgan Construction LLC (as seller). Gaspard & Morgan later became Gaspard & Menon Construction LLC ("G&M"), the first named defendant.

In January 2024, G&M signed a note securing payment of \$249,639.20. The note specified that it included \$162,599.16 owed under the 2019 purchase agreement as amended in 2021, and \$87,040.40 owed under a restated promissory note as amended July 31, 2023. Gasbard and Menon each personally guaranteed payment of the 2024 note, which carried a default interest rate of 18%. The defendants defaulted on the note on December 1, 2024.

Plaintiff commenced an action in 2025, seeking \$215,927.12 from G&M due under the note, and from Gasbard and Menon as guarantors of the note. After G&M and Gasbard defaulted, plaintiff moved for default judgment against the defaulting defendants, and moved for summary judgment against Menon as guarantor

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Menon opposed the motion, noting first that neither G&M nor Menon were parties to the purchase agreement or its amendment, and that he did not guarantee any obligations of Gaspard & Morgan (predecessor to G&M). As such, he was unaware of any of the repayment obligations under the agreement or of the repayment interest rate. He argued that despite its name, the purchase agreement appears to be a loan and is usurious and unenforceable under GOL §§ 5-501, 5-511, 50521; Banking Law § 14-a(1); and Penal Law § 190.40. He argued that the motion should be denied as premature under CPLR 3212(f) as facts essential to justify opposition may exist but cannot be stated until after discovery.

Plaintiff countered that the purchase agreement is irrelevant, as plaintiff is not suing to enforce the agreement, which, in any event is not a loan. The agreement provided for plaintiff to purchase certain receivables for a purchase price of 78% of the outstanding balance of the receivables, and “the transaction contemplated hereunder shall constitute a true sale, assignment and transfer of the Eligible Receivables to (Plaintiff) thereby providing (Plaintiff) with the full benefits of ownership.” Moreover, the guarantee specifically provided that Menon agreed to waive all rights and defenses, and agreed that based on Menon’s ownership interest in G&M, he would benefit from G&M’s refinancing of its debt. In any event, the note does not contain an interest rate in excess of 25%, as required for criminal usury.

Finally, plaintiff argued that all information concerning the receivables is in G&M’s possession and plaintiff has no knowledge of the receivables. There are no documents or discovery that could be obtained from plaintiff that would establish an interest rate, as the agreement was not a loan and had no interest rate.

After agreeing that plaintiff was entitled to a default judgment against G&M and Gasbard, it turned to the defenses raised by Menon, noting that unless there is a loan, there can be no usury, citing LG Funding, LLC, 181 A.D.3d 664, 665 (2d Dep’t 2020). According to LG Funding, unless a principal sum advanced is repayable absolutely, the transaction is not a loan (Id. at 666). The factors to be reviewed to determine whether repayment is absolute or contingent include: (1) whether there is a reconciliation provision in the agreement; (2) whether the agreement has a finite term; and (3) whether there is any recourse should the merchant declare bankruptcy (Id. at 666). It is, said the Court, a question of fact whether a transaction constitutes a cover for usury, citing *Abrir v. Malky*, 59 A.D.3d 646, 649 (2d Dep’t 2009).

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The Court ruled first that the waiver language in the guaranty “does not mirror the waiver language found by the Court of Appeals to be sufficient to waive such a defense, citing *Cooperatieve Centrale Raiffeisen-Boerenleenbank, B.A. v. Navarro*, 25 N.Y.3d 485 (2015). The specific defenses waived by Menon did not waive a defense based on either usury or lack of enforceability of the note. “And even if Menon did explicitly waive a usury defense, it is unlikely that such a waiver would be effective as the Court of Appeals has made clear that any transaction tainted by criminal usury is void ab initio,” citing *Adar Bays, LLC v. GeneSYS ID. Inc.*, 37 N.Y.3d 320 (2021).

Next, the Court determined “it is entirely proper to consider whether the Purchase Agreement violates Penal Law § 190.40.” The Court noted that entering into a new contract for the balance due does not purge the transaction of usury unless the usurious feature is abandoned, citing 72 NY Jur 2d, Interest and Usury, § 147. Here, the debt associated with the purchase agreement was incorporated within the debt underlying the note.

Finally, the Court ruled that the plaintiff did not establish that there are no triable issues of fact about whether the amount collected under the purchase agreement, as incorporated by reference into the note, was greater than 25%. First, there was no provision in the purchase agreement for reconciliation. Payment was absolute, as seller was required to indemnify plaintiff regarding any outstanding balances due on the receivables. Second, the purchase agreement had a definite term of 24 months, and seller was obligated to pay the balance of amounts due at the end of the 24 months. There was no time-constricted payment obligation. Third, plaintiff was given recourse in the event of seller’s bankruptcy. Upon filing for bankruptcy, the agreement would be terminated, and all obligations of the seller to the purchaser were immediately due.

Thus, there were triable issues of fact about whether the purchase agreement was a loan and not a valid cash advance agreement, and whether the amounts charged under the purchase agreement were not were criminally usurious.

The lesson? If your client advances funds to a business in return for a percentage of future receivables, draft the purchase agreement carefully to avoid a Court finding the agreement to be a loan subject to usury laws. Make sure the agreement 1) has a reconciliation clause that allows defenses, such as a customer disputing the amount of the receivable (ie., payment is not absolute); 2) does not have a definite term; and 3) does not contain a provision that requires payment even if the seller files for bankruptcy.

*By Joseph Churgin, Esq. and Susan Cooper, Esq.

SAVAD CHURGIN, LLP, Attorneys at Law



How You Can Be More Confident In Yourself

By: Stan Popovich

Having a healthy level of self-confidence can help you become successful in your personal and professional life. Here are some suggestions on how to improve your self-esteem.

1. **Be kind to yourself:** Get to know yourself. Determine what makes you happy and what you value in life. You might find it helpful to write things down in a journal. It's important to challenge unkind thoughts about yourself. You might automatically put yourself down and not realize it.
2. **Practice positive affirmations:** These are statements that reflect your strengths, values, and aspirations. By consistently repeating positive self-affirmations, you're rewiring your brain to focus on your capabilities and worth rather than dwelling on self-doubt or criticism.
3. **Do things you're good at:** Your self-confidence starts to soar when you do things that you are good at. Your strengths become even stronger, which helps improve your belief in yourself. Your ability to build on your personal strengths is related to life satisfaction levels. Building on your strengths can help you increase your self-confidence in your personal and professional life.
4. **Turround yourself with positive people:** Take a moment and think about how your friends make you feel. The people you spend time with can influence your thoughts and attitudes about yourself. Surround yourself with people who care about you and want the best for you. Find others who are positive and can help build your confidence.
5. **Remember your successes:** Some people downplay their successes and focus on the things they struggle with. Remind yourself of your past accomplishments no matter how small they may be. Stop focusing on the negative parts of your life and remember your past achievements.
6. **Create realistic goals:** Set achievable goals on a regular basis and take small steps to accomplish them. Make sure your goals are measurable and monitor your progress. Don't get upset if you don't accomplish all your goals. You can always change direction. The more you achieve things, the greater your confidence in yourself and your abilities.
7. **Step outside your comfort zone:** Those with low self-esteem tend to avoid challenges and new opportunities. This can be due to fears or self-doubt. When you succeed in any big or small way, this will show you that you can persevere through life's rough moments.
8. **Do not compare yourself to others:** Your self-worth shouldn't be connected to how well other people are doing. People only share the best, most flattering parts of their life. A person who looks happy doesn't mean they really are. Do not be deceived by outward appearances. Rather, look for ways to improve yourself. Remember there are always other people who are worse off than you. It is all on how you look at things.
9. **Determine whose feedback matters:** Just because someone gives you feedback, and criticism doesn't mean you have to accept it. When it comes to opinions that do not make the cut, just listen as it comes in. Focus on finding the truth in what's being said that you can grow from. Distinguishing constructive criticism from that is unhelpful and meant to damage your self-esteem.
10. **Learn from your mistakes:** Understanding your mistakes is crucial for building self-confidence. By acknowledging errors, analyzing what went wrong, and focusing on growth, you can transform setbacks into opportunities for improvement and build resilience. Mistakes are usually inevitable when implementing plans and goal-setting strategies.

BIOGRAPHY

Stan is the author of "A Layman's Guide to Managing Fear" which covers 200+ techniques that can drastically improve your mental health. For more information, please visit Stan's website at <http://www.managingfear.com>

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YOM HASHOAH 2026 AT THE COURTHOUSE

**THE TRUTH MATTERS:
"THE TRUTH, THE WHOLE TRUTH, AND
NOTHING BUT THE TRUTH"**

KEYNOTE SPEAKER: BRIAN S. COHEN, ESQ.

LACHTMAN COHEN & BELOWICH LLP

CO-CHAIR, NYSBA TASK FORCE ON COMBATING ANTISEMITISM AND ANTI-ASIAN HATE
PRESIDENT, THE WESTCHESTER COUNTY BAR ASSOCIATION

TUESDAY, APRIL 14TH, 2-3 PM

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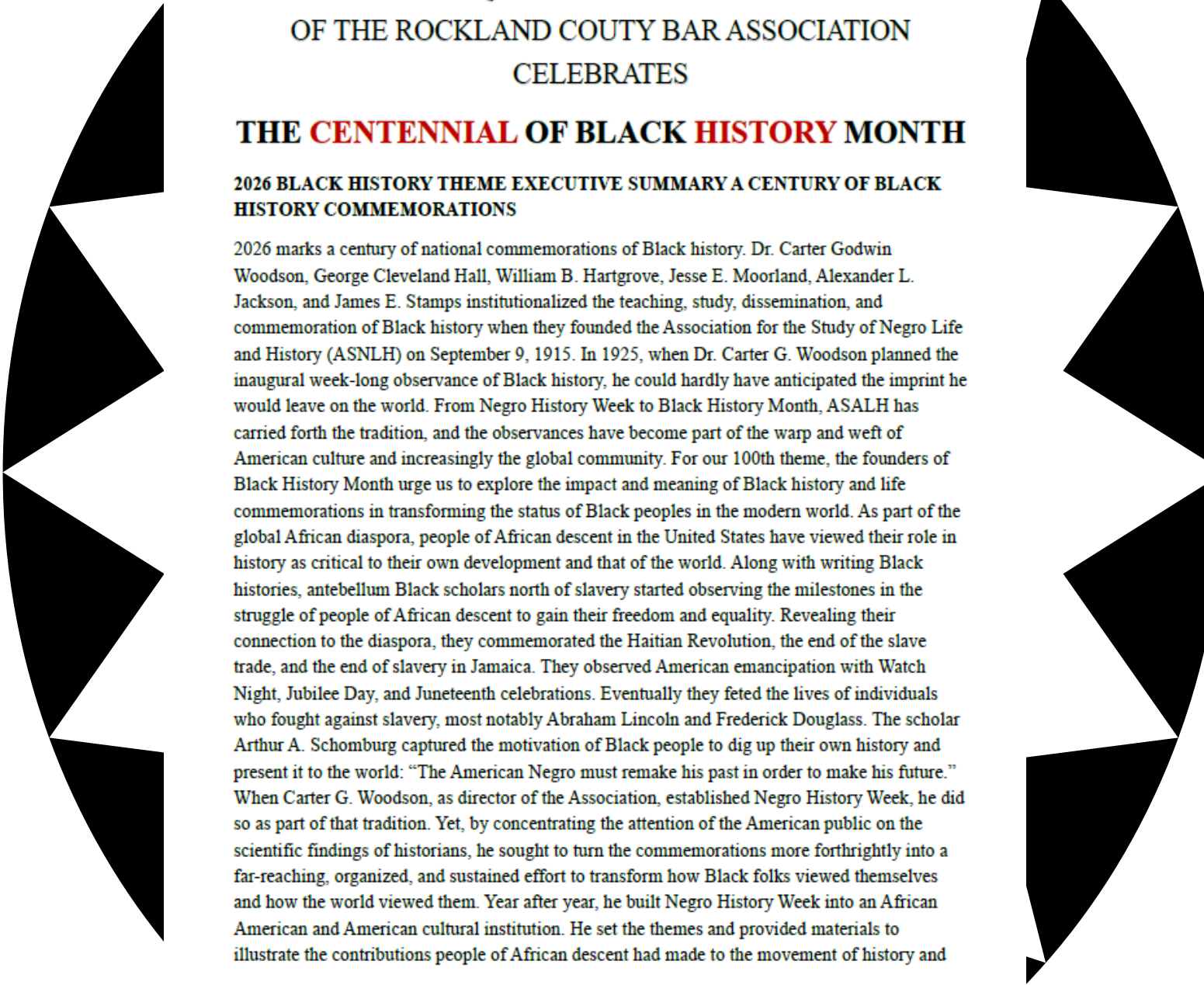
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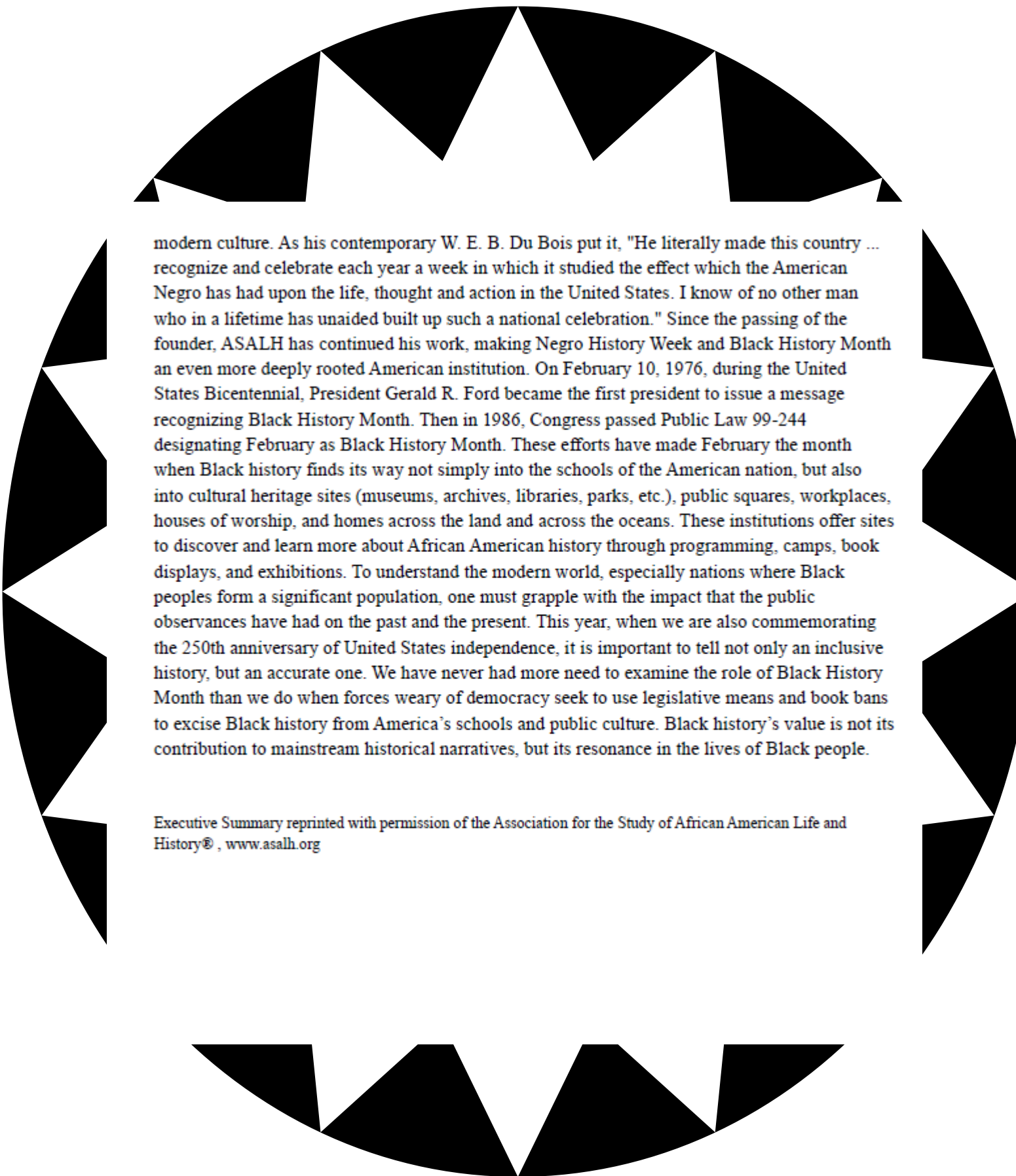
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OF THE ROCKLAND COUNTY BAR ASSOCIATION
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THE CENTENNIAL OF BLACK HISTORY MONTH

2026 BLACK HISTORY THEME EXECUTIVE SUMMARY A CENTURY OF BLACK HISTORY COMMEMORATIONS



2026 marks a century of national commemorations of Black history. Dr. Carter Godwin Woodson, George Cleveland Hall, William B. Hartgrove, Jesse E. Moorland, Alexander L. Jackson, and James E. Stamps institutionalized the teaching, study, dissemination, and commemoration of Black history when they founded the Association for the Study of Negro Life and History (ASNLH) on September 9, 1915. In 1925, when Dr. Carter G. Woodson planned the inaugural week-long observance of Black history, he could hardly have anticipated the imprint he would leave on the world. From Negro History Week to Black History Month, ASALH has carried forth the tradition, and the observances have become part of the warp and weft of American culture and increasingly the global community. For our 100th theme, the founders of Black History Month urge us to explore the impact and meaning of Black history and life commemorations in transforming the status of Black peoples in the modern world. As part of the global African diaspora, people of African descent in the United States have viewed their role in history as critical to their own development and that of the world. Along with writing Black histories, antebellum Black scholars north of slavery started observing the milestones in the struggle of people of African descent to gain their freedom and equality. Revealing their connection to the diaspora, they commemorated the Haitian Revolution, the end of the slave trade, and the end of slavery in Jamaica. They observed American emancipation with Watch Night, Jubilee Day, and Juneteenth celebrations. Eventually they feted the lives of individuals who fought against slavery, most notably Abraham Lincoln and Frederick Douglass. The scholar Arthur A. Schomburg captured the motivation of Black people to dig up their own history and present it to the world: "The American Negro must remake his past in order to make his future." When Carter G. Woodson, as director of the Association, established Negro History Week, he did so as part of that tradition. Yet, by concentrating the attention of the American public on the scientific findings of historians, he sought to turn the commemorations more forthrightly into a far-reaching, organized, and sustained effort to transform how Black folks viewed themselves and how the world viewed them. Year after year, he built Negro History Week into an African American and American cultural institution. He set the themes and provided materials to illustrate the contributions people of African descent had made to the movement of history and



modern culture. As his contemporary W. E. B. Du Bois put it, "He literally made this country ... recognize and celebrate each year a week in which it studied the effect which the American Negro has had upon the life, thought and action in the United States. I know of no other man who in a lifetime has unaided built up such a national celebration." Since the passing of the founder, ASALH has continued his work, making Negro History Week and Black History Month an even more deeply rooted American institution. On February 10, 1976, during the United States Bicentennial, President Gerald R. Ford became the first president to issue a message recognizing Black History Month. Then in 1986, Congress passed Public Law 99-244 designating February as Black History Month. These efforts have made February the month when Black history finds its way not simply into the schools of the American nation, but also into cultural heritage sites (museums, archives, libraries, parks, etc.), public squares, workplaces, houses of worship, and homes across the land and across the oceans. These institutions offer sites to discover and learn more about African American history through programming, camps, book displays, and exhibitions. To understand the modern world, especially nations where Black peoples form a significant population, one must grapple with the impact that the public observances have had on the past and the present. This year, when we are also commemorating the 250th anniversary of United States independence, it is important to tell not only an inclusive history, but an accurate one. We have never had more need to examine the role of Black History Month than we do when forces weary of democracy seek to use legislative means and book bans to excise Black history from America's schools and public culture. Black history's value is not its contribution to mainstream historical narratives, but its resonance in the lives of Black people.

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Court of Claims State of New York

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LOOKING FOR TRIAL EXPERIENCE? INTERESTED IN EXPANDING YOUR PRACTICE?

The New York State Court of Claims is the exclusive forum for **civil litigation seeking money damages against the State of New York.**

Many claimants are pro se because they lack the ability and funding to locate and obtain counsel. Without representation, potential meritorious claims of current or former incarcerated people and other pro se litigants are at risk of being dismissed.

In 2022, the Court of Claims established an Equal Justice in the Courts (EJIC) Committee and the **Attorney Referral Service (ARS)** is a direct result of the Court's intention to eliminate this impediment to justice. **The ARS is now creating a panel of attorneys** interested in being matched with claimants to help them pursue their civil claims while providing attorneys with experience in handling discovery, motions, trials, and settlement negotiations. Attorneys involved in this service may enter a contingency fee agreement with claimants. There is no charge for joining the referral list.

Interested? Questions? Check out the Court's website at <https://ww2.nycourts.gov/attorney-referral-program-38296>.



We're Hiring

Principal Assistant County Attorney

The Rockland County Office of the County Attorney is seeking candidates for two full-time, Principal Assistant County Attorney positions on the Department's **Litigation Team and Transactional Team**.

Both the Litigation Team and Transaction Team roles include responsibility for independent legal work on matters of moderate to complex nature representing the County of Rockland. These include legal research and writing; preparing correspondence; drafting and/or handling affidavits; and reviewing documents for completeness, legal sufficiency, and accuracy.

Minimum Qualifications*

- Possession of a license to practice law in New York State; and
- Provision of a current certificate of good standing;
- License to practice law in the State of New York must be maintained throughout the course of employment in this title
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The 9th Judicial District Equal Justice in the Courts Committee, the Historical Society of the New York Courts, the Franklin H. Williams Judicial Commission, the Westchester Black Bar Association, the Westchester County Bar Association, the Westchester Women's Bar Association and the Hudson Valley Hispanic Bar Association, *in collaboration with the Office of Diversity and Inclusion,* present a Black History Month program

Remember, Reclaim, Rise - A Century Of Black History

February 25th, 2026

12:00pm to 2:00pm

Ceremonial Courtroom 200

111 Dr. Martin Luther King Jr. Blvd

White Plains, NY 10601

RSVP by February 17th, 2026 to dtorrent@nycourts.gov

Lunch will be provided

[Click here to join meeting](#)

Honoring:

Hon. Norman St. George

First Deputy Chief Administrative Judge

Hon. Kenneth W. Jenkins

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Tips for Technology

Getting Found by AI: What Every Law Firm Website Needs

AI is impacting how people search online.

The old rules of SEO still matter, but there's a new layer to the game, and most law firms are missing it entirely.

That missing piece is structured data, also known as schema markup. And if your website doesn't have it, you're essentially invisible to the AI systems that are deciding which businesses get shown to users.

What Is Structured Data?

Structured data is a way of labeling the information on your [website](#) so search engines and AI systems can understand it without guessing.

Think of it like this: when a human reads your website, they can intuitively understand that "John Smith" is a lawyer, that your office is located at a specific address, and that you handle personal injury cases.

AI systems can't do that automatically. They need explicit instructions. Structured data provides those instructions by turning your content into clearly defined fields that machines can process.

Why It Matters for AI Search

AI search tools like Google's AI Overviews, ChatGPT, and Perplexity don't just rely on keywords anymore. They're looking for context, relationships, and clear signals about what your content actually represents.

In March 2025, both Google and Microsoft publicly confirmed that they use structured data for their generative AI features. Google specifically stated that structured data is critical for modern search because it's efficient, precise, and easy for machines to process.

Continued...

Over 72% of websites on Google's first page of search results use schema markup ([Backlinko](#), 2025). And according to Search Engine Land, AI Overviews appeared on 13% of all U.S. desktop searches in March 2025, meaning millions of search queries are now being answered by AI instead of traditional blue links.

Without structured data, AI systems may skip your content entirely, or worse, cite a competitor instead.

A Quick Tip

The easiest way to check if your website has structured data is to use Google's Rich Results Test. Go to search.google.com/test/rich-results, enter your website URL, and it will show you exactly what's there — or what's missing.

If the results come back empty or generic, talk to your website manager or SEO provider and ask them to implement [LegalService](#) schema. It's the one schema type made specifically for law firms, and it's where you want to start.

The Bottom Line

AI search is here, and the smart businesses are capitalizing on it.

Structured data is one of the clearest signals AI systems use to decide which businesses to show users. Without it, you're asking AI to guess what your website is about — and it will often guess wrong or skip you entirely.

The good news? This is an easy fix. And since most law firms haven't caught [on yet, so](#) there is a window of opportunity for the firms that act now.

Sean Gough

Rockland County-based Marketing Strategist for Attorneys





Rockland County Bar Association

337 North Main Street, Suite 1; New City, NY 10956; rocklandbar.org

ROCKLAND COUNTY BAR ASSOCIATION 2026 CONTINUING LEGAL EDUCATION PROGRAMS



Program Date	Time	Program Title	Speakers
Tuesday February 11, 2026	Virtual 12:30 pm-2:00 pm	<i>Investor Exploitation in the Digital Age: Understanding Pig-Butchering Scams and Brokerage Firms' Duties to Stop Them</i>	Robert Van De Veire
Wednesday February 12, 2026	Virtual 12:30 pm-2:00 pm	<i>Collateral Consequences: How Criminal and Family Court Outcomes Impact Immigration Status</i>	Crismelly Morales/ Ivon Anaya
Thursday, February 26, 2026	Virtual 12:30 pm-2:00 pm	<i>Digital Assets</i>	Hon. Aimee Pollak
Thursday, March 5, 2026	Nyack Seaport 9:30 am-1:30 pm	<i>Litigation Abuse: A Mechanism of Post- Separation Coercive Control in Intimate Partner Violence</i>	Natalie DeRyder
Wednesday, January 28, 2026	Virtual 12:30 pm-2:00 pm	<i>Recent Changes in Landlord Tenant Practice</i>	Ricki Burger Hon. Patrick Loftus Marc Kissel John Finnegan Alex Burzstein
Wednesday, March 18, 2026	Virtual 12:30 pm – 1:30 pm	<i>Soup to Nuts for Pre-Nups</i>	Nicole DiGiacomo Jay Motta
Tuesday, March 24, 2026	Virtual Time TBD	<i>Mortgage Foreclosure</i>	Ron DiCaprio
Thursday, March 26, 2026	Virtual 12:30 pm – 1:30 pm	<i>Ethical Legal Research with Generative AI</i>	Tiffany Martinez, Esq. Aanchel Shah, Esq.
May 13, 2026	Virtual Time TBD	<i>CPLR</i>	Professor Connors

RCBA Cares

The following resources are provided to you courtesy of the Lawyer to Lawyer Committee.*

Lawyer Assistance Programs

New York State Bar Association: 1-800-255-0569; lap@nysba.org

New York City Bar Association: 212-302-5787; <https://nysba.org/attorney-well-being/>

Suicide Prevention

National Suicide Prevention Lifeline: 988

Crisis Text Line: Need help? Text START to 741-741

Chemical Dependency and Self-Help Sites

Alcoholics Anonymous (AA): 212-870-3400; www.aa.org

International Lawyers in A.A. (ILAA): www.ilaa.org

Narcotics Anonymous (NA): 818-773-9999; www.na.org

Nicotine Anonymous (NA): 1-877-TRY-NICA; nicotine-anonymous.org

Mental Health

Depressed Anonymous: depressedanon.com

National Mental Health Association (NMHA) - 1-800-273-TALK (8255) to reach a 24-hour crisis center;
Text MHA to 741741 at the Crisis Text Line

Source: Andrew Denney, Bureau Chief of NYLJ and the New York State Association of Criminal Defense Lawyers.

****For more information about the Lawyer to Lawyer Committee,***

please email: office@rocklandbar.org

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with their contact information so we can reach out to them about these opportunities.

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CALL Jeanmarie @ 845-634-2149 or send email to Jeanmarie@Rocklandbar.org

TO ADVERTISE IN NEWSBRIEF

Advertising & articles appearing in the RCBA Newsletter does not presume endorsement of products, services & views of the Rockland County Bar

Association.

All advertisements and articles must be reviewed by the Executive Committee for content.

MEMO**TO ALL RCBA COMMITTEE CHAIRS & VICE – CHAIRS**

The Association is seeking articles from your committee for publication in the Bar's monthly Newsletter. The membership would greatly benefit from your input and would appreciate it. The article does not have to be complicated or long- a succinct piece of general interest and importance would be best.

If you are able to submit an article for the Newsletter it should be sent via email to Jeanmarie@rocklandbar.org by the 15th of the month so that the Executive Board may review it.

Thank you!



Monthly
Newsletter



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Matrimonial/Family Law Attorney

Rockland County, NY law firm specializing in matrimonial and family law is seeking a full time associate. Excellent writing skills, trial experience and fluent Spanish speaking a plus. Starting salary range is \$55,000.00 to \$85,000.00+. Please call 845.639.4600 or fax resume to 845.639.4610 or E-mail: michael@demoyalaw.com

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To apply, please submit a detailed resume to Kristine@thebachmanlawfirm.com and answer this question. What is your favorite food and why?

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845.639.4610 or

E-mail: michael@demoyalaw.com

Part Time Paralegal / Legal Assistant

In person and/or virtual; Surrogate filings personal injury matters; complex personal injury matters; salary commensurate with experience.

Contact: jeff@injurylaw-nv.com

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The Ulster County District Attorney's office is seeking two (2) experienced full-time ADAs and one (1) entry level, i.e., newly admitted ADA. They are seeking ethical lawyers who have a stake in this community and possess the fortitude for criminal trials and related proceedings. Anyone hired will be paid a salary with enviable benefits and gratitude of the community.

If you are interested in pursuing this opportunity, contact Jodi Longto, Confidential stant, at jodl@co.ulster.ny.us for additional information.

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