



NYSBACLE

Friday, October 29, 1999
Uniondale, L.I.

Monday, November 1, 1999
Tarrytown

Friday, November 5, 1999
Buffalo

Friday, November 19, 1999
New York City

Friday, December 10, 1999
Albany

MCLE Credits —
See "Program
Description" on
next page for
more details.



Practical Evidence: A Civil Case Primer

**Register Early, Save Money,
and Guarantee Your Seat
at the Program!!!**

Co-sponsored by the Trial Lawyers Section
and the Committee on Continuing Legal
Education of the New York State Bar
Association

Program Description

Success in the courtroom often depends on a trial lawyer's knowledge of the rules of evidence. Reviewing the basics and becoming advised of changes is one of the most valuable ways for litigators to increase their effectiveness as advocates.

In response to requests for a seminar in this area, the Committee on Continuing Legal Education of the New York State Bar Association is pleased to present a practical summary of the evidentiary principles used in civil court. Co-chaired by evidence experts Prof. Michael J. Hutter, Jr., and Arlene Zalayet, Esq. the seminar has outstanding local chairs and very experienced faculties. The agenda covers objections, examining witnesses, cross-examination and impeachment, hearsay, the attorney-client privilege and work product, opinions, authentication, and other miscellaneous methods of proof. We hope you will elect to join us for this seminar. Bound course materials will be distributed to registrants on the morning of the seminar.

The New York State Bar Association's Committee on Continuing Legal Education has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the

State of New York (August 1, 1997-February 29, 2001). We will gladly assist attorneys admitted in New York and those admitted in other MCLE states in obtaining MCLE credit for attending this program. Information and/or forms for that purpose will be available at the registration desk on the day of the program.

Under New York's MCLE Rules, this program has been approved for credit for all attorneys, including those who are newly admitted (less than 24 months). This basic-level course may be used for New York MCLE credit consisting of 7.0 credit hours in areas of professional practice; for a total of 7.0 credit hours.

The New York State Bar Association certifies that this program has been approved for MCLE credit by the State Bar of California in the amount of 5.5 hours; and by the Pennsylvania Continuing Legal Education Board for 5.5 hours of substantive law. The Florida Bar approves all of our CLE programs. All inquiries regarding mandatory continuing legal education credits may be directed to (518) 487-5586.

Agenda

8:30-9:00 a.m.

REGISTRATION (outside of meeting room)

9:00-9:05

WELCOME AND INTRODUCTION

9:05-9:45

OBJECTIONS:

(Motions *In Limine*, Offers Of Proof, Limited Admissibility, Cautionary Instructions, Related Writings, Foundational *Voir Dire*)

Speakers: Peter S. Williams, Esq. (Uniondale, L.I.)
David Paul Horowitz, Esq. (Tarrytown)
Martin P. Violante, Esq. (Buffalo)
Mark Yagerman, Esq. (New York City)
Mae A. D'Agostino, Esq. (Albany)

9:45-10:30

QUESTIONING WITNESSES:

(Form of Questions, Refreshing Recollection, Past Recollection Recorded, Anticipatory Rehabilitation, Bolstering)

Speakers: Frederick B. Simpson, Esq. (Uniondale, L.I.)
T.B.A. (Tarrytown)
Laraine Kelley, Esq. (Buffalo)
Philip J. McManus, Esq. (New York City)
Henry Greenberg, Esq. (Albany)

10:30-10:45

COFFEE BREAK

10:45-11:30

CROSS-EXAMINATION AND IMPEACHMENT:

(Prior Statements and Testimony, Prior Acts and Convictions, Treatises, Bias, Character Evidence, Attacking Credibility of Hearsay Declarants)

Speakers: Arlene Zalayet, Esq. (Uniondale, L.I.)
Dennis E. Krolan, Esq. (Tarrytown)
Joseph V. McCarthy, Esq. (Buffalo)
David Dean, Esq. (New York City)
William J. Dreyer, Esq. (Albany)

11:30-12:30 p.m.

12:30-1:30

LUNCH (on your own)

1:30-2:30

HEARSAY:

(Current Developments)

Speakers: Robert Bogle, Esq. (Uniondale, L.I.)
Thomas DeSimone, Esq. (Tarrytown)
Hon. Eugene F. Pigott, Jr. (Buffalo)
Karen A. Fisher, Esq. (New York City)
Prof. Michael J. Hutter (Albany)

2:30-2:45

COFFEE/SOFT DRINK BREAK

2:45-3:30

OPINIONS AND EXPERT TESTIMONY:

(Current Developments, Impact of *Daubert*)

Speakers: Evan H. Krinick, Esq. (Uniondale, L.I.)
Frank Manchisi, Esq. (Tarrytown)
Mary Pat Fleming, Esq. (Buffalo)
John Kieran Daly, Esq. (New York City)
David J. Wukitsch, Esq. (Albany)

3:30-4:15

AUTHENTICATION OF NON-TESTIMONIAL PROOF

(Photographic, Computer-Generated, and Demonstrative Evidence)

OTHER METHODS OF PROOF

(Self-Authenticating Exhibits, Judicial Notice, Presumptions)

Speakers: Elliott C. Winograd, Esq. (Uniondale, L.I.)
John Colangelo, Esq. (Tarrytown)
Harry F. Mooney, Esq. (Buffalo)
Alan Shapey, Esq. (New York City)
Louise E. Dunn, Esq. (Albany)

4:15-4:25

QUESTION AND ANSWER SESSION

4:25

ADJOURNMENT