

October 25, 2004

Dear Panelist,

This letter covers the following topics:

CLE Pro Bono Credits
Integrated Domestic Violence Court and Training
Vouchers
Legal Aid Society's Possible Staffing of Arraignment B and 511 Vacate Part
Additions to Experts Panel
Website

CLE PRO BONO CREDITS

I previously advised you that, effective September 1, 2004, the New York State Continuing Legal Education Board changed the law that previously allowed me to grant you one CLE credit for every 6 hours of time you spent on 18B cases where you received no money from the defendant (up to a maximum of 6 CLE credits for every reporting cycle). I concluded that, following September 1, 2004, I had no more power in this area.

Now, however, thanks to the suggestion of one of our panelists, Lou Profera, I obtained a clarification from the Board. Although I am no longer able to award you pro bono CLE credits for work done by you **after** September 1, 2004, I am still able to award you pro bono CLE credits for 18B work done by you **before** September 1, 2004. If, therefore, you have not received up to 6 pro bono credits from me during your most recent 2-year reporting cycle, you can still receive such credits by filing the appropriate affirmation, together with copies of vouchers evidencing the number of pre-September hours worked. I am enclosing a copy of the affirmation with this mailing, and I thank Lou Profera for his contribution.

INTEGRATED DOMESTIC VIOLENCE COURT AND TRAINING

The new Integrated Domestic Violence Court is scheduled to begin operation in the County Court courtroom of Judge Meryl Berkowitz in January of 2005. Initially, this court will deal with cases that have both a Family Court and a criminal court (misdemeanor) component. Attorneys who are on both the Family Court Panel and the District Court (or County Court) panels will be permitted to handle both components in the IDV Court. Those who are only on the Family Court Panel will not be able to handle

the criminal component of the case in IDV Court until they receive training in criminal practice. Those who are only on the criminal panel will not be able to handle the Family Court component of the case in IDV court until they receive training in Family Court practice.

We anticipate that the training for each component will take approximately 9 hours and will be given on three weekday afternoons in January, 2005. These sessions will be free to all 18B panelists, and CLE credits will be awarded. In order for us to gauge the number of possible attendees, I am enclosing a page that I ask you to complete and fax back to me at 516.873.8032 as soon as possible.

VOUCHERS

For those of you who complete your vouchers in longhand, and are “penmanship challenged”, please be as neat as possible. Slow down. One letter at a time. Neatness counts. Etc. etc. etc.

LEGAL AID SOCIETY’S POSSIBLE STAFFING OF ARRAIGNMENT B AND 511 VACATE PART

In a December 11, 2003 letter to you, I advised you that “there exists the possibility that the Legal Aid Society will take over Arraignment B and the 511 Vacate part in 2004. This is due to Nassau County’s desire to save money”.

I noted in this letter that it costs us between \$60,000 and \$70,000 per year to staff these parts and that the Legal Aid Society can do it for approximately \$40,000. I noted that the County was considering increasing the Legal Aid Society’s budget in 2004 in order to effectuate this change.

The County did increase the Legal Aid Society’s budget in 2004 and the Legal Aid Society did add staff. They did not take over in Arraignment B or the 511 Vacate part, however, and I did not push them to do so. I am now advised that pressure is building rapidly to have them take over these parts. I have no financial argument to fight this change. I therefore invite you to advise me immediately if you have any reason you think that this change would be detrimental to the criminal justice system. Failing the existence of such an argument, I do not see any way to prevent this change.

ADDITIONS TO THE EXPERT’S PANEL

The following investigators have joined our Experts’ Panel

James Brier
J.B. Investigators LLC
17 Crescent Place

Smithtown, N.Y. 11787
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Thomas LoFrese
T.L. Services
2215 Pine St.
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WEBSITE

I am sick of telling you that our Website “is about to be launched”. The fact is that all of the work I can do has been done. I am waiting (it seems like forever) for it to be finalized by our Webmaster. When it is launched, you’ll be the first to know.

As always, I thank you for your continued service to the 18B program.

Sincerely,

Patrick L. McCloskey