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SIDE-BAR

JANUARY 2017

THE MONTHLY NEWSLETTER OF THE
HAMPSHIRE COUNTY BAR ASSOCIATION
15 GOTHIC ST., SUITE 10, NORTHAMPTON, MA 01060
FAX: (413) 586-8729 ~ EMAIL: HCBA@CROCKER.COM
WWW.HAMPSHIREBAR.ORG

Appreciation Reception & Contribution to Justice Award

The 22nd Annual Appreciation Reception will take place on Thursday, January 26, 2017 from 4:30 – 6:30 p.m. in the Ballroom of The Hotel Northampton. Light appetizers will be served and a cash bar available.

This year's Contribution to Justice Award recipient is Kristy J. Paciorek, Probation Officer at the Eastern Hampshire District Court.

Come and express your gratitude to the many individuals who work within the Hampshire County justice system for their thoughtfulness and extra efforts.

Please RSVP to hcbac@crocker.com by Friday, January 20th.

Certificate of Discharge

You are cordially invited to attend a cocktail party in honor of Sherriff Robert J. Garvey who will retire from the Hampshire Jail and House of Correction after serving over 32 years. The event will be held on Thursday, January 26, 2017 from 5:00 to 9:00 p.m. at the Log Cabin Banquet and Meeting House. Tickets are \$30 per person. Checks should be made payable and submitted to: Hampshire County Deputy Sherriff's Association. P.O. Box 1118 Northampton, MA 01061. No tickets will be sold at the door.

Federal Civil Practice Bench Bar Roundtable

U.S. District Court Judge Mark G. Mastroianni and U.S. Magistrate Judge Katherine A. Robertson will host a *Civil Practice Bench Bar Roundtable* on Wednesday, January 25, 2017, 4-5:30 p.m., at the Springfield Federal Courthouse. Discussion will be followed by reception. Please RSVP to David Lawless at dlawless@robinsondonovan.com.

Walk to the Hill

The 18th Annual Walk to the Hill for Civil Legal Aid sponsored by the Equal Justice Coalition, MBA, BBA, HCBA and other bar associations across the State will take place on January 26, 2017 at the State House. Log on to www.equaljusticecoalition.org, for more information.

Hampshire Judicial Schedules

Northampton District Court

1/16	HOLIDAY
1/17	Connly
1/18-20	Goggins
1/23-27	Goggins
1/30-2/3	Goggins

Eastern Hampshire District Court

1/16	HOLIDAY
1/17-18	Estes, Sabbs
1/19	Ross, Sabbs (AM)
1/20	Estes, Sabbs
1/23-25	Estes
1/26	Sabbs
1/27	Estes
1/30-2/1	Estes
2/2	Connly
2/3	Sabbs

Juvenile Court

1/16	HOLIDAY
1/17-20	Belsky
1/20	Phillips
1/25-27	Belsky

Superior Court

January	Mason
February	Mason
March	Ferrara
April	Rup
May	Agostini
June	Carey
July	Carey
August	Carey
September	Ford
October	Carey
November	Carey
December	Carey

Housing Court

1/23	Fields
1/30	Fields

HCP Schedule

The Hampshire Conciliation Program provides neutrals for conciliation services at the Probate and Family Court on Tuesdays, 1:30 – 3:30 p.m.

HCP Schedule:

1/17/17 - Laura Arbeitman
1/24/17 - Block Day
1/31/17 - Laura Arbeitman
2/7/17 - Laura Arbeitman
2/14/17 - Miriam Bourke
2/21/17 - Laura Arbeitman
2/28/17 - Block Day
3/7/17 - Oran Kaufman
3/14/17 - John Drake
3/21/17 - Mary Ellen Niles Howard
3/28/17 - Block Day
4/4/17 - Valerie Botter
4/11/17 - Devlin Farmer
4/18/17 - Marianne Zurn
4/25/17 - Block Day
5/2/17 - Lisa Kent
5/9/17 - Merry Nasser
5/16/17 - Leslie Brown
5/23/17 - Block Day
5/30/17 - Mary Ellen Niles Howard
6/6/17 - Diane Fernald
6/13/17 - John Drake
6/20/17 - Mary Ellen Niles Howard
6/27/17 - Block Day

For more information, contact Jill Kelley at the Probate Court at (413) 586-8500, ext. 112. To volunteer, email hcba@crocker.com.

Probate & Family Court Brown Bag Luncheon Meeting

The Hampshire Probate & Family Court Brown Bag Luncheons are held on the 2nd Thursday of the month. The next meeting will be February 9th at 1:00 p.m. in the Multi-purpose room at the Court. Future dates: 3/9, 4/13, 5/11, 6/8.

HPFC's Lawyer for the Day

The Lawyer for the Day program schedule is the first and third Wednesday each month from 1 until 4 p.m.

Lawyer for the Day Schedule:

1/18 - Devlin Farmer
2/1 - Mary Ellen Niles Howard
2/15 - John Drake
3/1 - James Winston
3/15 - David Sharp
3/29 - Merry Nasser
4/5 - Devlin Farmer
4/19 - Jon Heyman
5/3 - Miriam Bourke
5/17 - Oran Kaufman
5/31 - Mary Ellen Niles Howard
6/7 - Leslie Brown
6/21 - TBA

For more information, contact Maggie Mercier at the Probate Court at (413) 586-8500, ext. 125.

Hampshire Probate & Family Court Bench/Bar Meeting

The Hampshire Probate & Family Court Bench/Bar Committee meeting is scheduled for Monday, March 20, 2017 at 4:00 p.m. at the Probate & Family Court, Northampton.

If you have any agenda items or suggestions, please forward them to Noelle Stern at noelle.stern@jud.state.ma.us.

Food Drive Thanks

Thank you to all who contributed to the food drive organized by NDC Probation office. The food donated to The Food Bank provided for 150 meals!

Hampshire Judicial Schedules

Probate & Family Court

1/16	HOLIDAY
1/17	Fidnick, Fuller
1/18	Fidnick
1/19	Fidnick, Dacyczyn
1/20	Fidnick, Crawford, Dacyczyn
1/23	Fidnick
1/24	Fidnick, Fuller
1/25	Fidnick
1/26	Dacyczyn
1/27	Fidnick, Dacyczyn
1/30	Fidnick, Crawford
1/31	Fuller
2/1	Fidnick
2/2-3	Fidnick, Dacyczyn
2/6	Fidnick, Crawford
2/7	Fidnick, Fuller
2/8	Fidnick
2/9-10	Fidnick, Crawford, Dacyczyn
2/13	No Judge
2/14-15	Fidnick
2/16-17	Fidnick, Dacyczyn
2/20	HOLIDAY
2/21	Fidnick, Fuller
2/22-23	Fidnick
2/24	Fidnick, Crawford

Log on to
<http://www.hampshireprobate.com/Calendar/JudicialCalendars.htm> OR
<http://www.mass.gov/courts/court-info/trial-court/pfc/pfc-hampshire-calendar-gen.html>.

2017 Holidays - Courts Closed

January 16th – MLK's Birthday
February 20th – Presidents' Day
April 17th – Patriots' Day
May 29th – Memorial Day

LOMAP Practice Tip

"Do you use Outlook on a PC? In our next free 25-minute webinar, you can learn how to organize yourself better to save time and avoid malpractice claims. [Register here!](#)"

PACT & FTC Schedules

2017

PACT

Tuesdays

February 28 & March 7

April 25 & May 2

June 6 & 13

July 18 & 25

September 5 & 12

October 17 & 24

November 28 & December 5

FTC

Mondays

January 23 & 30

February 27 & March 6

April 3 & 11 (Tuesday)

May 22 & 30 (Tuesday)

July 10 & 17

September 11 & 18

October 16 & 23

November 27 & December 4

For more information,
please call (413) 586-4597 or
log on to www.hampshirebar.org.

Only One Childhood (O1C)

Only One Childhood is an educational program for parents who have completed either the PACT or FTC program. It focuses on assisting parents to improve their ability to work together in parenting their children, building on the skills explored in the earlier programs. The fee is \$395 pp.

2017 O1C Schedule

Mar. 2, 9, 16, 23, 30 & Apr. 6

Apr. 27, May 4, 11, 18, 25 & Jun. 1

Sept. 6, 13, 20, 27, Oct. 4 & 11

Nov. 1, 8, 15, 29, Dec. 6 & 13

For more information, email
hcba@crocker.com or call (413)
586-8729.

NDC News

All of the cases in Northampton District Court that are stayed due to Dreager issues are now scheduled for February 8, 2017. Judge Goggins has instructed Attorneys who have any substantive motions in these cases such as motions to Suppress or Dismiss filed and heard prior to the February 8th date.

Lawyer for the Day Program

The Western Division of the Housing Court sits here in Hampshire County on Monday in Hadley. The HCBA's Lawyer for the Day program provides a volunteer attorney every Monday beginning at 9 a.m.

We are scheduling for January – June 2017. Please log on to <http://www.signupgenius.com/go/10c0b48aeae2ca5f58-hadley> to volunteer your services. Thank you!

GREENFIELD COURTS MOVING

The Greenfield Courts will be relocating back to their original site at 43 Hope St. (the corner of Main St. and Hope St.), Greenfield, MA 01301 on Monday, February 6, 2017. Telephone numbers will remain the same. The mailing address, Franklin County Probate and Family Court, P.O. BOX 590, Greenfield, MA 01302-0590 will remain active.

The Franklin County Registry of Deeds will move to the site at a later date.

Members on the Move

Diana S. Velez Harris
Johnson, Sclafani & Moriarty
776 Westfield St.
West Springfield, MA 01089
Phone: (413) 732-8356
Fax: (413) 439-0480
Email: dsvelezharris@gmail.com

Lisa S. Lippiello
Olin & Lippiello LLP
355 Bridge Street, Suite 4B
Northampton, MA 01060
Phone: (413) 203-0010
Fax: (413) 203-0020
Email: lisa@oliplaw.com
www.northamptonlaw.com

Retiring Members

Benjamin A. Barnes closed his law practice on December 31, 2016. Inactive files were shredded. Open files were received by Attorney Thomas A. Miranda. Attorney Miranda's telephone number is (413) 584-1282.

Victim Rights Law Center

The Victim Rights Law Center is looking for attorneys admitted to practice law in Massachusetts in good standing who are interested in providing *low bono* representation for victims of sexual assault in Western Massachusetts. These are contracted positions at a rate of \$65/hour with a maximum of 40 hours per case. Primary practice areas will be 258E Harassment Prevention Orders, 209A Restraining Orders, and civil privacy hearings during criminal trials to protect survivors' medical, mental health, and education records; although we will consider other legal areas if the need arises. If interested in more details, please contact lowbono@victimrights.org.

Membership Benefits

Membership Benefits, an initiative by the Executive Committee includes the following businesses that will provide discounted services:



Discounts include 10 % off the following services:

- Court Reporting
 - Videoconferencing
 - Digital / Phone Dictation and Transcription
- Transcription of witness statements
- Video Depositions
- Encrypted email service

OR Join the Lawyers Conference Center and get 20% off

To receive your benefit, contact Dean Whalen at Dean.Whalen@sten-tel.com or call (888) 228-8646, ext. 19269 or visit One Monarch Place, 1414 Main St., Springfield, MA 01144.



Amherst Copy & Designworks offers:

- 15 % off any order of business cards, letterhead, envelopes, foam-core chalks (black & white or color--for use at trials, arbitrations and mediations), brief copying and/or assembly
- 1/2 hour of free design services with order
- Secure scanning and shredding, priced by the job (scanning \$ depends on the number of staples, etc.)
- Free pick-up and delivery to anywhere in Hampshire County

To receive your benefit, contact Sean Cleary at happiness@amherstcopy.com or call (413) 549-2854 or visit them at 37 E. Pleasant St., Amherst, MA 01002.



eLuminate is an easy-to-use, web-based client management software

designed to help legal professionals save time, be more efficient and better their practice. All members of the Hampshire County Bar Association are eligible for a FREE 3-month trial of eLuminate for unlimited users (\$150+ value). We always provide free training and technical support. No commitment required.

Contact us at 857-366-7630 or eluminate@egenerationinc.net to learn more and get started with your free trial.



MillBrook is offering Hampshire County Bar Association members a 10% discount on the following disability income insurance products through Principal Financial Group:

- Disability income insurance
- Retirement protection
- Buy-sell funding
- Business overhead protection

Members can contact Pete Miller at MillBrook Benefits and Insurance Services, LLC at (866) 724-0008 or by email at pete@millbrookbenefits.com.

TechCavalry

Help is on the way!

TechCavalry, a division of IBS, offers a waiver of their trip charge for any service visit to the office of an HCBA member based in Hampshire County for on-site service requests, a \$35 value.

HCBA members must identify their HCBA membership and request the discount when they call for service. TechCavalry provides "Fast, reliable, affordable, and on demand IT solutions that meet the needs of small office and home office customers - we're there when you need us - Help is on the Way!"

Telephone number: 413-586-7070 and the web site: www.techcavalry.com.

If you have any businesses you would like us to contact, please email your suggestions to hcba@crocker.com.

BOARD OF BAR OVERSEERS

of the Supreme Judicial Court
99 HIGH STREET
BOSTON, MASSACHUSETTS 02110
617-728-8700
Fax: 617-482-8000
www.mass.gov/abcbb

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MERLE R. HASS

November 18, 2016


Ms. Rebecca Ryan
Executive Director
Hampshire County Bar Association
15 Gothic St., Suite 10
Northampton, MA 01060-3084

Re: Request for Comments on Proposed Rules Changes

Dear Ms. Ryan:

The Board of Bar Overseers is proposing to amend certain of its rules concerning the authority to decide motions in adjudicatory proceedings, and it is soliciting comments from bar associations and practitioners. The changes are briefly summarized in the attached notice, which will be published in the Massachusetts Lawyers Weekly and which provides contact information to obtain more detailed information should your bar association wish to submit comments. The deadline for our receipt of comments that will be incorporated into the packet of materials the Board will submit to the Supreme Judicial Court is Monday, February 27, 2017.

Very truly yours,


Paul M. Rezendes
Assistant General Counsel

Enc.

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BOARD OF BAR OVERSEERS
of the
SUPREME JUDICIAL COURT
of
MASSACHUSETTS

Notice of Proposed Rules Changes

The Board of Bar Overseers is soliciting comments on certain changes to its rules for the conduct of adjudicatory proceedings. To clarify the allocation of authority as between board members and hearing officers in ruling on motions, the Board is proposing to amend the following rules: section 3.18, concerning motions generally, and related provisions of sections 2.8(b)(1), 2.13, 3.7(b), 3.16, 3.17, 3.22(d), 3.32, and 4.9(a)(1) and (2).

In summary, once hearing officers have been appointed to hear a matter, they will have authority to act on most motions. A few exceptions are reserved for the Board's chair or another Board member designated by the chair, i.e., motions for a protective order, motions by a respondent to dismiss charges, motions for discovery depositions after the commencement of formal proceedings, motions to stay or defer proceedings, and motions to determine whether public discipline continues to be warranted under a petition amended at bar counsel's request by the deleting of charges. Motions by bar counsel for an order of issue preclusion may be decided either by the Board chair or, if so designated by the Board chair, another board member or a hearing officer.

Those wishing to comment on the proposed changes may obtain a copy of the amended rules by contacting: Assistant General Counsel Paul M. Rezendes, Board of Bar Overseers, 99 High Street, Boston, MA 02110 or at p.rezendes@massbbo.org. Comments received by the close of business on Monday, February 27, 2017 will be addressed in the package of materials the Board will submit to the Court.