

Message from the Incoming Chair

When I was a high school student, I learned two gifted New York City trial lawyers were drawing a jury in the summertime in Buffalo, New York. I had never been in a courtroom. I knew absolutely nothing about the practice of law, trial work, or anything involving the legal profession. I had no idea what I intended to do or what type of career path I might take.

I took a few days off from my summer job and intently watched these two great trial attorneys practice their profession trying a product liability case involving an exploding gas tank.

Watching Al Julien and Harold Schwab try this case created such a strong impression that I no longer had to consider what type of occupation I might like to consider. After watching them in the courtroom, I knew I wanted to become a trial attorney.

While attending law school I was lucky enough to meet and take a product liability course from W. Page Keeton, a lawyer who was considered one of the nation's foremost authorities on the law of torts. Keeton was the Emeritus Dean of the University of Texas School of Law and co authored one of the most cited works in tort law known as *Prosser and Keeton on Torts*.

From an early age, I was lucky enough to know what career path I intended to take. It was shaped not only by these great lawyers, but also to a large degree by my uncle, Paul Beltz, who was an exceptional trial lawyer who practiced in Buffalo.

I have enjoyed my past experience as a member of the Trial Lawyers Section Executive Committee and in 2018 I became the vice-chair of our Section. It has been an interesting year working with our Section chair, Violet Samuels. Violet has had a remarkable and successful year in managing the many activities and projects our Section has been involved with.

For over 25 years the Trial Lawyers Section of the New York State Bar Association has sponsored and hosted the New York Regional Round of the National Trial Competition. This has been a longstanding "signature" event that our Section has been involved in hosting. The mission of the NTC is to "encourage and strengthen students' advocacy skills through quality competition and valuable interaction with members of the bench and bar. The program is designed to expose students to the nature of trial practice and to serve as a supplement to their education." Our Section would like to recognize and thank Thomas Valet, a past chair of the Trial Lawyers Section, who has volunteered considerable time in organizing this event for years.



This year's competition was held from February 8 to 10 in Buffalo.

The Trial Lawyers Section also co-sponsored the Young Lawyers Section's Trial Academy held in the spring at Cornell University. Our Section hopes that the next generation of gifted trial lawyers will rise from these groups.

Our Legislative Committee has reviewed several proposed laws, including CPLR Article 99, involving asbestos litigation, the Child Victim's Act, and we have reviewed some potential jury instructions involving the subject of conscious bias, unconscious or implicit bias.

On February 4, 2019, the Diversity Committee held a breakfast meeting in New York City which was a success. Our committee chairs, Angelique Moreno and William Friedlander, indicated several law students who attended the program were interested in observing trials and depositions. We will discuss potential ways to engage young lawyers and students at our next Executive Committee meeting.

The Trial Lawyers Section has amended its bylaws in order to establish a Fast Action Committee if the Executive Committee is not in session and a matter arises that requires an immediate response or decision before the Executive Committee can formally meet. The Executive Committee voted to amend a bylaw under Article VI Meetings. This amendment was made in an effort to require greater participation from both officers and executive committee members.

Our 2019 summer destination meeting will be held August 4 to 7 at Queens Landing Hotel in Niagara-on-the-Lake, Ontario, Canada, located at the juncture of the Niagara River and Lake Ontario. A visit is well worth the trip—the area is rich with vineyards (27 in all), and is a haven for food, wine, history and culture. Planned activities include golf, a winery tour, the opportunity to visit the renowned Shaw Theatre Festival for a play, and a dinner at Ravine Vineyard. Niagara Falls, Canada is only 25 minutes away and Toronto, 90 minutes. Please consider joining us. This is a terrific opportunity to network and recharge while picking up CLE credit. Passports or enhanced licenses are required for the entry into Canada. Keep an eye on our Section webpage: www.nysba.org/triasu19 for information on the meeting coming soon.

Finally, I would like to acknowledge the former chairs of our Section who participate in our meetings and who have kept our Section on a path to provide terrific benefits to our members.

I look forward to guiding the direction of the Trial Lawyer Sections in 2019.

Kevin Sullivan