



ALBANY LAW SCHOOL

CENTER FOR CONTINUING LEGAL EDUCATION

**2024 CAASNY Winter Meeting**

*and*

**2024 Juvenile  
Delinquency Meeting**

December 9, 2024

80 NEW SCOTLAND AVENUE  
ALBANY, NEW YORK 12208-3494  
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## 2024 CAASNY Winter Meeting

December 9, 2024  
9:00am – 1:00pm

*The Saratoga Hilton, 534 Broadway, Saratoga, NY*

8:30am – 8:55am	<b>Registration</b>
8:55am – 9:00am	<b>Welcoming Remarks</b> Clinton Johnson, Esq. Ulster County
9:00am – 9:50am (1 Professional Practice CLE Credit)	<b>Cybersecurity for County Attorneys: Legal Implications and Best Practices</b> Tina Wayland-Smith, Esq., Madison County Attorney Paul Lutwak, Director of IT, Madison County
9:50am – 10:00am	<b>Break</b>
10:00am – 10:50am (1 DEI CLE Credit)	<b>Justice and Gender: The Convergence of Dead-Naming, Mis-Gendering, and the Law and Impact on Inmate Belonging, Safety &amp; Security</b> Jermaine Cruz, Assistant Dean for Diversity & Inclusion Albany Law School
11:50am – 11:00am	<b>Break</b>
11:00am – 11:50am (1 Professional Practice CLE Credit)	<b>Legislative Update</b> Stephen J. Acquario, Esq., Executive Director New York State Association of Counties  Patrick R. Cummings, Esq., Counsel New York State Association of Counties
11:50am – 12:00pm	<b>Break</b>
12:00pm – 12:50pm (1 Professional Practice CLE Credit)	<b>Decisions of Interest to County Attorneys from the U.S. Supreme Court, The U.S. Court of Appeals for the Second Circuit, and the New York State Court of Appeals</b> Brian D. Ginsberg, Esq., Partner H. Todd Bullard, Esq., Member Harris Beach PLLC
12:50pm – 1:55pm	<b>Lunch</b>



## 2024 Juvenile Delinquency Meeting

December 9, 2024  
2:00pm – 5:00pm

*The Saratoga Hilton, 534 Broadway, Saratoga Springs, NY*

1:30pm – 1:55pm

### **Registration**

1:55pm – 2:00pm

### **Welcoming Remarks**

Clinton Johnson, Esq.  
Ulster County

2:00pm – 2:50pm

(1 Professional Practice  
CLE Credit)

### **Youth Part Removals, including AO's and JO's**

David Meffert  
Orange County Attorney's Office

Faith Lovell  
Suffolk County Department of Law

2:50pm – 3:00pm

### **Break**

3:00pm – 3:50pm

(1 Professional Practice  
CLE Credit)

### **Prosecuting a Juvenile Delinquency Rape Case under Recent Amendments to PL 130**

Linda Fakhoury, Esq.  
Victor A. Civitillo, Esq.  
Dutchess County Attorney's Office

3:50pm – 4:00pm

### **Break**

4:00pm – 4:50pm

(1 Professional Practice  
CLE Credit)

### **Secure Detention Beds and Mental Health Services, or Lack Thereof**

Claire Pulver, Esq.  
Robert Fisher, Esq.  
Ulster County Attorney's Office

## 2024 CAASNY Winter and JD Meeting

December 9, 2024

### Speaker Biographies

**STEPHEN J. ACQUARIO, ESQ.**, is Executive Director and General Counsel of the New York State Association of Counties (NYSAC). In this capacity, Mr. Acquario presents a single voice for the county governments of New York State. He is responsible for the overall direction of the association, and oversees the association's agendas to ensure a cohesive and coherent legal and legislative strategy on behalf of New York State's 62 county governments. Mr. Acquario graduated *magna cum laude* from Albany Law School. He holds a B.A. in Industrial and Labor Relations from the State University of New York at Potsdam. In addition, he earned a graduate certificate in Industrial and Labor Relations from Cornell University. He is admitted to practice law in New York.

**H. TODD BULLARD, ESQ.** represents counties, cities, legislatures, school districts, local development corporations and public authorities in litigation defense both in federal as well as state courts on a range of issues such as Article 78 proceedings, constitutional challenges and municipal agreements. Mr. Bullard also provides outside general counsel services related to operational matters. In addition, he advises organizations on commercial contracts and procurements related to public and private projects.

As a result of the recent US Supreme Court decision rendered in *Tyler v. Hennepin County*, 598 U.S. 631 (2023), plaintiffs, as former owners of foreclosed real property, filed legal action asserting constitutional challenges to state real property tax law seeking the return of surplus funds and other damages resulting from municipal governments' in rem tax sales. The number of claims is increasing statewide.

Mr. Bullard is the lead counsel in defending these actions both non-class actions and class actions. The firm has been retained by twenty (20) Counties to defend against these claims.

In addition, Mr. Bullard provides practical financial and compliance counsel to municipalities such as cities and local governments, and housing authorities and to contractors conducting business with state agencies and local municipalities. He has served as issuers counsel to one of the largest public housing authorities outside of New York City in Rental Assistance Demonstration ("RAD") deals.

**VICTOR A. CIVITILLO, ESQ.** is a Senior Assistant County Attorney in the Dutchess County Attorney's Office. He has been prosecuting Juvenile Delinquency (JD) and Persons in Need of Supervision (PINS) cases since starting at the County Attorney's Office in 1992 and represents the County in appeals in such cases. He reviews all Dutchess DSS contracts and handles certain other legal matters. Mr. Civitillo conducts training for police officers in Dutchess County, including school resource officers. He has been teaching classes for the State of New York Police Juvenile Officers' Association for at least the twenty-five years. He conducts trainings for police officers on the "Raise the

Age” law in various locations in New York State. He has taught continuing legal education for the County Attorney’s Association of the State of New York, the Dutchess County Bar Association, the Albany County Bar Association, the New York State Office of Court Administration, and the New York State Prosecutor’s Training Institute. He is the author of the original PINS chapter in the LexisNexis Answer Guide of New York Family Court Proceedings. He is a graduate of Albany Law School and the State University of New York at Albany.

**DEAN JERMAINE CRUZ** joined Albany Law School in 2021 as the Assistant Dean for Diversity and Inclusion. Previously, Dean Cruz has served as the Director of Admissions at University of the Pacific McGeorge School of Law in Sacramento, California. Before that he was Assistant Director of Admissions of The Catholic University of America’s Columbus School of Law, in Washington, DC, where he directed the law school’s admissions-related diversity initiatives. Before working in higher education, he was in private practice at Hannon Law Group, LLP, in Washington, D.C., where he focused primarily on complex commercial litigation and employment law. While an evening law student, he worked at Georgetown University Law Center, where he managed the administration and recruitment efforts of the school’s clinical legal education program. He also served as a law clerk with Bread for the City, where he worked on domestic relations cases, and as a student-attorney in Columbus’ Families and the Law Clinic. Prior to his work in law, Dean Cruz worked in communications as an alumnus of the National Journalism Center in Washington, D.C. He has worked with Black Entertainment Television, the New York State Senate, and at Bread for the World, Inc., where he focused on international anti-hunger campaigns with a strong focus on Africa and Latin America. In addition to his law degree, Dean Cruz holds a Bachelor of Arts in Journalism from Ithaca College and a Master of Arts in African & African-American Studies from the State University of New York at Albany. He is a 2005 graduate of the Columbus School of Law.

**PATRICK R. CUMMINGS, ESQ.**, is Counsel for the New York State Association of Counties (NYSAC). In this capacity, he works with the New York State legislature regarding pending legislation in order to help county governments run more efficiently. Mr. Cummings also provides support, when requested, to county attorneys regarding laws, policies, and cases that impact counties. Prior to joining NYSAC in 2011, he was an Assistant County Attorney for Schenectady County. He is admitted to practice law in New York.

**LINDA D. FAKHOURY, ESQ.** is a Senior Assistant County Attorney for Dutchess County and has been with them since 2005. Her primary responsibilities include prosecution of juvenile delinquency and persons in need of supervision (P.I.N.S) cases, as well as handling contracts, municipal issues, and a variety of other legal matters for the County. Ms. Fakhoury has done numerous trainings across the state involving juvenile delinquency, PINS, and Raise the Age matters, for police agencies, police academies, schools, and CAASNY. Ms. Fakhoury continues to be a go to resource for information under the juvenile justice system. She played a vital role in creating the Juvenile Fire-Setters Intervention Response and Education Program (JFIRE) for Dutchess County, and continues to serve on the Steering Committee, the Full Committee, and is trained as an

Intervention Specialist through the National Fire Academy to address juvenile fire-setting behaviors in the County. Ms. Fakhoury has also been an Adjunct Instructor at Marist College since 2011, teaching Criminal Law as part of the Paralegal Certification program. She is an active member of her Community and is an active member of the Junior League of Poughkeepsie. She graduated from Marist College in 2001, with her B.S. in Criminal Justice, and her Paralegal Certification. She graduated from Western New England University School of Law with her J.D. in 2004. In 2017, Ms. Fakhoury was one of the recipients of the Dutchess County Chamber of Commerce 40 under 40 Movers and Shakers Award for her commitment to the Hudson Valley.

**ROBERT J. FISHER, ESQ.** has been practicing law since 1996. He is a graduate of Nova University School of Law in Florida. Mr. Fisher is currently an Assistant County Attorney in Ulster County, and has a private practice in general law. He has also been employed as an Assistant District Attorney, Assistant Public Defender, and Staff Attorney at the Department of Social Services, all in Ulster County. He is a member of the State of New York Appellate Division Third Department Committee on Character and Fitness, and is a past Secretary and Board member of the Ulster County Bar Association. He is admitted to practice law in New York.

**BRIAN D. GINSBERG, ESQ.** is a partner at Harris Beach PLLC, resident in the firm's White Plains office, and chair of the firm's Appellate Practice Group. He leads appeals in courts across New York and across the country, representing businesses, individuals, governments, and other parties in cases spanning a broad spectrum of industries and legal issues. Before joining Harris Beach, Mr. Ginsberg served in the New York State Solicitor General's Office as Assistant New York State Solicitor General, representing the state in some of its most important appeals, including appeals in the U.S. Supreme Court. Mr. Ginsberg has litigated hundreds of appeals and critical motions over the course of his career and has personally presented more than 100 appellate oral arguments, including 23 in the U.S. Court of Appeals for the Second Circuit and eight in the New York State Court of Appeals. Earlier in his career, he served as a law clerk for Chief Judge Michael A. Chagares of the U.S. Court of Appeals for the Third Circuit. He is an honors graduate of Columbia Law School and Yale University.

**FAITH LOVELL, ESQ.** obtained a Bachelor of Arts degree from The George Washington University in 2003. After college, she attended The St. John's University School of Law, graduating with a Juris Doctorate in 2006. Ms. Lovell began her legal career working as an Assistant Corporation Counsel for the New York City Law Department's Family Court Division. While there, she was a member of both the Major Case and Special Victims Unit. Ms. Lovell was an Assistant Borough Chief in both the Queens and Brooklyn Borough Offices before ascending to the title of Director of Raise the Age Strategy and Planning. In that role, Ms. Lovell played a prominent role in the implementation of the Raise the Age legislation for the city of New York and created and managed a citywide unit of cross-designated attorneys working in collaboration with the District Attorney's offices in the five boroughs to handle adolescent and juvenile offender removal matters. Ms. Lovell joined Suffolk County in January of this year where she is currently the Bureau

Chief for the Family Court and Social Services Bureau of the Suffolk County Attorney's Office.

**PAUL LUTWAK** has spent over 30 years in information technology, starting as a systems analyst at Cornell University. Before moving to county government, he spent 14 years in K-12 IT, as Director of Instructional and Informational Technology for a public school district. After several years as the Director of Technology for Schuyler County in upstate New York, he took the Director of Technology position in Madison County. He currently oversees IT operations, planning, and security for 26 diverse departments in that county's government. In addition, he has implemented shared IT services for many of the towns and villages in Madison County to help them economize while maximizing efficiency. He serves as president of New York State Local Government Information Technology Directors Association and is Chairman of the New York State Association of Counties' IT Task Force.

**DAVID S. MEFFERT, ESQ.** is a Senior Assistant County Attorney serving in Family Court Unit of the Orange County Department of Law, where he handles J.D. and PINS cases. He received his B.S. from the University of Texas at Austin, his J.D. from St. Mary's University School of Law in San Antonio, Texas, and was admitted to the Texas bar in 1995. Mr. Meffert was a solo practitioner in San Antonio, practicing in the areas of adult and juvenile criminal defense, divorce, custody and child support. In 1999 Mr. Meffert became a prosecutor for the Office of the City Attorney for the City of San Antonio, initially in their domestic violence unit, and eventually taking over the prosecution of environmental and quality of life cases for the city. In 2001 he and his wife relocated to Orange County. Mr. Meffert joined the Orange County District Attorney's Office as an Assistant District Attorney where he worked in their Local Court Unit, Grand Jury Unit and Investigations Unit, where he handled various white-collar crimes. In 2006 Mr. Meffert moved to the Orange County Department of Law. In addition to his duties with the Department of Law, has also serves as the Special District Attorney for Orange County, handling cases that the District Attorney's Office was unable to prosecute due to conflicts. Mr. Meffert is certified by the DCJS Municipal Police Training Council as a General Topics Instructor and has spoken on various topics relating to juvenile delinquency and PINS law at the Orange County Police Academy and various police departments within the County.

**CLAIRE L. PULVER, ESQ.** is an Assistant County Attorney in Ulster County, New York. Her primary area of practice is in Family Court, where she handles Juvenile Delinquency (JD) and Persons in Need of Supervision (PINS) proceedings. In this capacity, she has handled a variety of cases and has worked closely with law enforcement and local school districts to address the behavioral needs of Respondents. She also assists in litigating Extreme Risk Protection Order (Red Flag Law) matters before Ulster County Supreme Court on behalf of the Ulster County Sheriff's Office. Ms. Pulver earned her B.A. in Italian and History at Mount Holyoke College in South Hadley, Massachusetts, and her J.D. at Albany Law School. She is admitted to practice law in New York.

**TINA M. WAYLAND-SMITH, ESQ.** is the Madison County Attorney, a position she has held with distinction after beginning her career in the office as an intern in the summer of 1988. She was appointed Assistant County Attorney in 1990 and has over 30 years of experience in municipal law. In addition to her role with the county, Ms. Wayland-Smith is a member of the law firm Campanie & Wayland-Smith PLLC, where she specializes in matrimonial and family law, as well as litigation. She is actively involved in several professional organizations, including NACO, NYSAC, and CAASNY.



