

# MARCY EINHORN

ATTORNEY AT LAW

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## Summary

**Experienced mediator.** Facilitate the resolution of complex disputes affecting elders, businesses, home and community organizations moving parties past hardened positions to common interests and solution building.

## Professional Activities

### New York State Unified Court System

#### Mandatory Mediation Program Rosters

Appellate Division Second Department

Supreme Court Third Judicial District

Suffolk County Surrogate's Court

Bronx County Surrogate's Court

Kings County Supreme Court

Nassau County Supreme Court, Commercial Division

Richmond County Supreme Court

### Dispute Resolution Workshops

Bristol Assisted Living, Inc. (2021)

Schneps Media Inc. (2021)

B'nai Jeshurun Synagogue (2020)

The University of Maryland Extension Program for Financial Educators (2020)

AFCPE National Symposium (2021, 2020, 2019)

Reimagine End of Life Conference (2019)

Community Workshops, various senior centers in New York City (2017-2018)

### Professional Memberships

Association of Financial Counseling and Planning Education

Association for Conflict Resolution of Greater New York, Elder Mediation Section

New York City Bar Association, Legal Problems of the Aging Committee

New York Women's Bar Association, Litigation Committee, ADR Committee

New York State Bar Association, ADR Section, Elder Law and Special Needs Section

**Moderated** "Advocacy Skills for the Litigation Practitioner," NYWBA (2021)

**Author**, NYSBA *NY Litigator*, "Online Dispute Resolution: The New Normal" (2018)

**Awards**, NYSBA Dispute Resolution Section, Commercial Mediation CLE Scholarship (2017)

### Bar Admissions

United States Supreme Court

United States District Courts, EDNY and SDNY

New York State

## **Employment**

Present:

### **Office of Administrative Trials and Hearings**

#### **Hearing Officer**

Preside over hundreds of hearings in proceedings brought by the New York City Taxi and Limousine Commission commenced against TLC licensed drivers who usually appear pro se. Uphold standards of fairness. Determine credibility, admissibility and weight of evidence, administrative findings of fact and conclusions of law. Impose appropriate statutory fines and penalties. Determine interests of justice applications.

### **Mental Hygiene Law Article 81 Fiduciary**

As attorney for an alleged incompetent person, I advocate for the least restrictive alternative to a guardianship based on the Person's ability to participate in the activities of daily living. As a Court Evaluator, I report to the Court and testify in support of my recommendations. Interview witnesses. Gather and examine evidence. I have advocated or evaluated the least restrictive alternative for AIPs suffering from a variety of disabling conditions and/or circumstances including dementia and paranoid schizophrenia and behavioral problems such as hoarding disorder.

Previous:

#### **Court Attorney**

New York State Supreme Court

New York County

60 Centre Street

New York, New York 10007

Confidential law clerk: expedited the resolution of thousands of complex commercial cases in a wide variety of industries, including real estate, finance, labor, construction, and banking. Served as a Special Master: supervised discovery in medical malpractice and commercial litigation disputes.

Drafted thousands of legal decisions. Conducted pre-trial conferences; reviewed evidence, interviewed witnesses, evaluated written and oral arguments. Previously Senior Court Attorney, 1994 – 1996. Court Attorney, 1992 - 1994; Yonkers City Court. Researched, analyzed, and drafted decisions in landlord-tenant, criminal, traffic, and civil proceedings; reviewed testimony and evidence, drafted jury instructions and judge's charge to the jury, proposed responses to deliberating jurors' questions.

## **Education**

Juris Doctor, St. John's University School of Law

Bachelor of Arts, SUNY Stony Brook