

## NEW YORK STATE ATTORNEY GENERAL'S OFFICE

<b>Address:</b>	615 Erie Boulevard West Suite 102 Syracuse, New York 13204
<b>Telephone:</b>	315-448-4800
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<b>Placement Supervisor(s):</b>	Edward F. McArdle, Assistant Attorney General
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<b>Time Requirements:</b>	<u>Academic Year:</u> Average of 12 hours / week only; 3 days in office preferred. <u>Summer:</u> Average of 25 hours / week.
<b>Position Requirements:</b>	None
<b># of Externs per Academic Year:</b>	3
<b>Summer Participation:</b>	Yes
<b># of Externs per Summer:</b>	Up to 3 (It is preferred that students continue into the next Academic Year.)
<b>Website:</b>	<a href="http://www.oag.state.ny.us/tour/tour.html">http://www.oag.state.ny.us/tour/tour.html</a>
<b>Special Note(s):</b>	Students will be required to pass a background investigation before final acceptance into an externship position.

ANDREW M. CUOMO, New York Attorney General, offers multiple opportunities for externships in his Syracuse Regional Office.

The Syracuse office of the Attorney General handles a wide range of civil law and public advocacy litigation for the State of New York and its employees, covering an area that extends to the Canadian border and encompasses 16 counties.

We are now able to offer criminal law and quasi-criminal law opportunities in public integrity investigations and prosecutions and repeat sex offender litigation.

Students work under the supervision of an Assistant Attorney General. An effort is made to offer students to attend trials and motion arguments and to observe pre-trial litigation practice. Preference is given to students who combine a summer and academic year externship.

Students who are selected are required to undergo and pass a background investigation before final acceptance to an externship position.

As described below, the Attorney General offers the following types of externship opportunities in his Syracuse office.

### 1. Defensive Litigation

The Attorney General is responsible for defending the State and its agencies when they are sued. These lawsuits are often tort lawsuits, in some cases involving novel theories of liability, which seek to find the State liable at least in part for injuries sustained by claimants. Examples of claims include medical malpractice, false arrest, defective highway design, premises liability and motor vehicle accident cases. The State does not freely settle claims, resulting in opportunities for students to support and observe cases from inception to trial. Cases are brought against the State

and its employees in both State and Federal courts. In addition to defending the State in tort and contract litigation, the Attorney General also answers petitions brought against State agencies seeking to overturn decisions made by State agencies in administrative hearings and other proceedings. These cases include objections to actions taken by State agencies charged with performing various governmental duties, including issuing and revoking licenses and paying benefits from governmental programs. These cases can raise challenges to state laws, regulations and policies.

## 2. Prisoner Litigation

Another large portion of the Attorney General's work involves defending the State in prisoner litigation. This includes claims for personal injury brought by unrepresented inmates, Article 78 petitions seeking to overturn additional punishments based on bad behavior, and writs of habeas corpus seeking release from incarceration. Students are often given more opportunity to prepare legal pleadings and to take hands-on control of these cases as compared to other types of cases.

Students will be required to provide support in answering pro se inmates complaints, petitions and writs. There is an opportunity for third year students to appear as attorneys in these cases under a Practice Order.

## 3. Consumer Advocacy

The Attorney General also has independent jurisdiction to advocate for consumers aggrieved by deceptive business practices or other fraud or illegality. His work in this area ranges from mediating individual consumer complaints with businesses and merchants to seeking court orders to end fraudulent business action and to obtaining monetary restitution for consumer victims.

Law students assigned to consumer advocacy will work under the supervision of the Assistant Attorney General assigned to consumer advocacy. Students will be expected to respond to consumer inquiries from consumers, to communicate with businesses that are the subject of consumer complaints, and to assist with consumer outreach presentations. Students will also be asked to assist with legal research and analysis, preparation and execution of consumer affidavits, and with ongoing investigations. They will be also be encouraged to look for patterns of consumer complaints against particular businesses which could lead to further Attorney General action, including litigation.

## 4. Health Law Advocacy and Litigation

The Attorney General also offers opportunities interested in health law litigation and health law policy issues. This includes patient advocacy, defense of state agencies, medical malpractice litigation, involuntary mental health treatment and retention proceedings, charitable issues, and issues related to guardianships, health care proxies and end-of-life treatment decision making.

## 5. Article 10 Units – Litigation to Keep Confined Sex Offenders With Potential to Reoffend.

The Attorney General Article 10 Unit prosecutes cases under a new state law that permits the State to continue to confine prisoners eligible for release from prison who are repeat sex offender if they have the potential to reoffend.

The new law is Article 10 of the Mental Hygiene Law. The attorneys assigned to this work commence special proceedings against repeat sex offenders who are nearing their release from the custody of either Corrections, Parole, Office of Mental Health or OMRDD and have been determined to suffer from a mental abnormality that predisposes them to engaging in conduct constituting a sexual offense and resulting in their having serious difficulty controlling such conduct.

The attorneys in this unit conduct probable cause hearings and jury trials on the issue of mental abnormality and whether those with a mental abnormality should be supervised and treated in the community or confined to a hospital.

Law students can expect to be able to assist in the collection and redaction of records (criminal, psychiatric, school, prison, probation, parole, etc.), the preparation of pleadings and motions, the development of trial strategies, and the preparation of witnesses.

**6. Attorney General's Public Integrity Bureau.**

The Attorney General's Public Integrity Bureau ("PIB") brings civil and criminal actions to vindicate the public's interest in honest government and the integrity of governmental officials at the state and local level. Specifically, the Unit handles complex investigations into government corruption, fraud and abuse of authority. Among other statutes, the Unit enforces the "Tweed Law" (N.Y. Exec. Law 63-c), which broadly empowers the Attorney General to bring suit to recover any governmental funds (state or local) that have been "without right obtained." PIB criminal prosecutions stem from allegations including, but not limited to, bribe receiving, official misconduct and larceny committed by elected and appointed public servants.

Law Students will work under the supervision of an Assistant Attorney General and can expect to conduct legal research, review documents filed in connection with complaints and assist in preparation of legal memoranda.