

# Stim & Warmuth, P.C.

Our Newsletter has been such a success that we have expanded our mailing list to include our non-commercial clients. If this is your first issue and you would like copies of back issues, please let us know.

Joseph D. Stim  
Paula J. Warmuth



## New Technology

With the explosion of technology and the Internet, we are now billing you for a variety of services which may be new to you. A brief explanation is in order.

We now have a computer hookup with the New York State Department of Motor Vehicles. For a minimum charge, we can check plates, registrations, licenses and VIN numbers. This is helpful in locating people for service of process and locating assets for the collection of judgments.

We also have a computer hookup with the federal courts including the bankruptcy courts called "Pacer." This allows us to track cases without actually going to the courthouse. Because of this capability, we have handled cases in California, Minnesota and elsewhere which we normally could not do.

We also have a subscription to Lexis. This allows us to do computerized legal research, to

verify that a case we have cited has not been reversed or overruled, and to obtain copies of cases which are not in our library.

We have a new Velobind machine which allows us binding capacity up to 3" wide. This is very useful for our appellate briefs. A large part of our practice is appellate practice. Usually our appellate printer, James Coonan of Coonan Press, Inc., does our appellate printing. We recommend Jim. However, if cost is a factor, we can do the binding in-house with the Velobind.

We have a scanner which we can use to scan data into our documents. We can also scan pictures. On a recent appeal, we scanned an appropriate cartoon right into the appellate brief.

We have AOL and Compuserve accounts which allows us access to the Internet and other data services. We use this all the time for research. We have researched the weather for a construction case, obtained archive newspaper articles to get the criminal background on a witness, done credit reports, located witnesses, accessed government forms and regulations and obtained historic stock prices for estates. Our law clerk, Glenn P. Warmuth, who went to a seminar entitled "Internet and the Law" and chaired the St. John's University SBA Communications and Technology Committee, does most of our research on the Net.

One of our most interesting Net experiences was on eBay. eBay allows you to conduct auctions on-line. We had an estate with

personal property to dispose of. After newspaper ads failed, we turned to eBay. It was incredible. We had 21 bids on a fishing reel which went for \$52.36. A used toaster oven sold for more than the cost of a new one. A little bulldog statue went to a woman named "Turnbull" for \$44.48. She gave us "Bullregards." We sold everything and made a profit. We even got positive comments on our wrapping technique.

Our next project is our own website. We will let you know as soon as we have it up and running.

## **Summary Judgment**

We frequently make motions for summary judgment. A motion is an application to the court for relief. When we make a motion for summary judgment, we argue that judgment should be granted as a matter of law. If we are successful, we can save you the expense of a trial. If we lose the motion, this does not mean that you will lose the case. It just means that there are contested issues of fact which require a trial to determine. This motion also allows us to learn details about your adversary's case. This helps you evaluate any settlement offer and prepare for trial. Sometimes, partial summary judgment is granted. This is helpful because it limits the issues to be tried. Win or lose, a motion for summary judgment is very helpful.

## **Legal Education**

Effective December 31, 1998, the Administrative Board of the Courts approved a mandatory Continuing Legal Education Program (CLE). Experienced

attorneys must complete 24 credit hours of accredited continuing legal education every 2 years. Four credit hours must be in ethics and professionalism. We must certify at the time of our biennial registration that we are in full compliance with the CLE requirement for the current reporting cycle. The purpose of the requirement is to enhance the level of competence and professionalism of the NYS Bar.

Joseph D. Stim and Paula J. Warmuth recently took CLE courses at St. John's University School of Law to partially satisfy this new requirement. Joe took classes in Bankruptcy, Computer Research and Elder Law while Paula took the Negligence and Medical Malpractice classes. We both enjoyed the opportunity to brush up on our knowledge. We're looking forward to more classes in the Fall.

## **Glenn Graduates**

Glenn recently graduated from St. John's University School of Law with a JD degree. He also made the Dean's List. His mother, Paula, was allowed to take place in the hooding ceremony and place the hood on Glenn. This is because she also graduated from St. John's. Normally the Dean does the hooding. Glenn took the Bar Exam last month and awaits the results.

## **Death Penalty Case**

Our Firm just handled its first death penalty case. We were retained to stop the execution of two dogs (a mother and son). The mother is pictured at right. The dogs had been involved in a dog fight. Following a "Dangerous



Dog" hearing, the dogs were scheduled to be euthanized at the Animal Shelter. Paula J. Warmuth obtained an order to show cause from the District Court staying the execution. She also obtained a new hearing. At the hearing, the case was settled and the dogs were saved. This was a very stressful case especially in the beginning when we didn't know if we could stay the execution in time.

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Paula and Glenn would like to thank everyone for their expressions of sympathy on the death of Paula's mother (Glenn's grandmother), Claire Mary O'Connor. It has been a difficult time but the birth of Claire's first great-grandchild, Carl Joseph Warmuth, has replaced some of that sorrow with joy. Carl was named after Claire.

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