

VITAE

GARY T. KELDER
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Education:

LL.M. Criminal Justice, New York University Graduate School of Law (1972)
(Criminal Law Education and Research Fellowship)

J.D., cum laude, Boston University School of Law (1971)

B.A., cum laude, S.U.N.Y. at New Paltz (1968)

Bar Admissions:

State Courts - New York, Massachusetts

Federal Courts - United States Court of Appeals (2d Cir.; 6th Cir.); United States
District Court (N. D. Ohio; N.D. New York)

Employment:

Law Teaching - Syracuse University College of Law, 1975 to present
(Professor since 1980)
(Associate Professor, 1976-1979)
(Visiting Professor, 1975-1976)
Cleveland State University, Cleveland-Marshall College of Law
(Assistant Professor, 1972-1975)
Cornell Law School, Spring 2000
(Visiting Professor)

Law Practice - Chief Assistant District Attorney, Onondaga County, New York
(on leave from S.U. College of Law, January 1992 to January 1994)
(part-time from January 1994 through October 1997)
Of Counsel, Gilberti, Stinziano, Heintz & Smith, PC, Syracuse, New York
(1998-2000 and 2011-2016)
Of Counsel, Cambareri, Cambareri & Koldin, LLP, Syracuse, New York
(2001-2008)

Law Programs - Syracuse University Law in London Program
(Summers: 1985-1987; 1990-1991; 1995-1996; 1998; 2000)
Summer Institute, Scholarship Program in Law for American Indians,
American Indian Law Center, Inc., University of New Mexico School of
Law (Summers; 1978, 1979, 1981, 1989)

Publications:

“Criminal Procedure”, 1995-1996 Survey of New York Law, 47 Syracuse L. Rev. 465-505 (1997).

“Criminal Procedure”, 1988 Survey of New York Law (with Travis H. D. Lewin), 40 Syracuse L. Rev. 245 (1989).

“Criminal Law and Procedure”, 1985 Survey of New York Law, 37 Syracuse L. Rev. 415 (1986).

“The Protective Sweep Doctrine - Recurrent Questions Regarding the Propriety of Searches Conducted Contemporaneously with an Arrest on or Near Private Premises” (with A. Statman), 30 Syracuse L. Rev. 973 (1979).

“Criminal Procedure”, 1978 Survey of New York Law, 30 Syracuse L. Rev. 15 (1979).

Recent Presentations:

During the preceding seventeen (17) years, Prof. Kelder has provided Update outlines and presentations on New York Search and Seizure Law, Evidence Law and other topics at Summer Judicial Seminars and Court Attorney Programs sponsored by the New York Office of Court Administration (OCA), the New York State Judicial Institute and, more recently, by the New York 5th, 6th and 7th Judicial Districts. He has provided similar outlines and presentations for programs sponsored by local Bar Associations and the New York State Magistrate’s Association.

Earlier Presentations:

Developments in Criminal Law and Procedure, 2000-2001 Legal Update Program for Court Attorneys, Rochester, NY, October 24, 2000, sponsored by OCA.

Developments in Criminal Law, Procedure and Evidence, Utica, NY, October 21, 2000, sponsored by Oneida Co. Bar Association.

Developments in Criminal Evidence, Including a Focus on Scientific Evidence, Expert Testimony and DNA 2000-2001 Legal Update Program for Court Attorneys, Melville, NY, September 20 and 21, 2000, sponsored by OCA.

Appellate Advocacy: An Overview of some Fundamentals in Effective Brief Writing, Syracuse, NY, August 17, 2000, program sponsored by NY Prosecutors Training Institute.

DNA in Capital Prosecutions - Current Legal Issues, Syracuse, NY, August 9, 2000, program sponsored by N.Y. Prosecutors Training Institute.

Developments in Civil Evidence, 2000 Annual Judicial Seminars Program, Ryebrook, NY, July 27, 2000, sponsored by OCA.

Developments in Criminal Evidence, 2000 Annual Judicial Seminars Program, Ryebrook, NY, July 25, 2000, sponsored by OCA.

Overview and Update on the Law of Search and Seizure, Confessions and Identifications, Geneseo, NY, February 29, 2000, program for area law enforcement officers, sponsored by Livingston County District Attorney.

Conference Presentation on Developments in Criminal Evidence and Presentation on Developments in Sentencing (Jenna's Law and other matters), 1999-2000 Legal Update Program for Court Attorneys, Ryebrook, New York, February 2 and 3, 2000, sponsored by New York State Office of Court Administration.

Conference Presentation on Developments in Criminal Evidence, 1999-2000 Legal Update Program for Court Attorneys, Saratoga, New York, January 14, 2000, sponsored by New York state Office of Court Administration.

Conference Presentation on Developments in Criminal Law and Procedure, 1999-2000 Legal Update Program for Court Attorneys, Saratoga, New York, January 13, 2000, sponsored by New York State Office of Court Administration.

CLE Presentation: "Recent Developments in Criminal Law, Procedure and Evidence", December 9, 1999, sponsored by Onondaga County District Attorney's Office.

CLE Presentation on Indian Land Claims in New York, December 9, 1999, sponsored by Onondaga County Bar Association.

Conference Presentation on Developments in Criminal Evidence, 1999-2000 Legal Update Program for Court Attorney's, Melville, New York, December 2, 1999, sponsored by New York State Office of Court Administration.

Conference Presentation on Developments in Criminal Evidence, 1999-2000 Legal Update Program for Court Attorneys, Rochester, New York, November 19, 1999, sponsored by New York State Office of Court Administration.

Conference Presentation on Developments in Criminal Law and Procedures, 1999-2000 Legal Update Program for Court Attorneys, Rochester, New York, November 18, 1999, sponsored by New York State Office of Court Administration.

CLE Presentations: "Recent Developments in Criminal Law and Procedure", Utica, New York, November 13, 1999, sponsored by Oneida County Bar Association.

Conference Presentation to Annual Meeting of the Association of New York State Supreme Court Justices: "Developments In Criminal Law and Procedure", September 24, 1999.

“New York Law on Search and Seizure” - Presentation for Basic Course for Prosecutors XXIV, sponsored by New York State Division of Criminal Justice Services, August 17, 1999.

“Discovery in Criminal Cases” - Presentation for 1999 Summer Judicial Seminar, sponsored by New York State Office of Court Administration, July 14, 21, 1999.

“Legality of Crime Scene Presence and Searches” - Presentation for 1999 Syracuse Police Homicide Conference, July 22, 1999.

“Criminal Motion Practice” - Presentation for Oneida County Bar Association, April 10, 1999.

“Standards and Developments in the Law on Scientific Evidence” - Presentation at conference sponsored by New York State Prosecutors Training Institute, Inc., January 13, 1999.

Conference Presentation for 1998 Orientation Program for Newly-Elected and Newly-Appointed Judges and Justices – “Criminal Law and Procedure”, sponsored by New York State Office of Court Administration, December 9, 1998.

Conference Presentation to Annual Meeting of the Association of New York State Supreme Court Justices – “Developments in Criminal Law and Procedure”, September 2, 1998.

“Update on Criminal Law and Procedure”, Presentation for Oneida County Bar Association (with Prof. Travis Lewin and Hon. John J. Brunetti), May 2, 1998.

“New York Law on Search and Seizure, Confessions and Identifications” - Presentation for District Attorneys and Law Enforcement in Counties of Geneseo, Livingston, Orleans and Wyoming, March 13, 1998.

“Constitutionality of the Plea Provisions of New York's Capital Murder Statute” - Presentation at Conference sponsored by New York State Prosecutor's Training Institute, Inc., January 12, 1998.

Conference Presentation for 1997 Orientation Program for Newly-Elected and Newly-Appointed Judges and Justices – “Criminal Law and Procedure”, sponsored by New York State Office of Court Administration, December, 1997.

“Update on Criminal Law and Procedure”, Presentation for Oneida County Bar Association (with Prof. Travis Lewin), April, 1997.

“Standards and Developments in the Law on Scientific Evidence” - Presentation at Conference sponsored by New York State Prosecutors Training Institute, Inc., December, 1996.

Summer Judicial Seminars, sponsored by New York State Office of Court Administration (1988 - Criminal Procedure) (1992-1994 - Criminal Evidence).

Legal Update Programs for Court Clerks, sponsored by New York State Office of Court Administration - Criminal Law, Procedure and Evidence (1988-1990; 1992-1994).

Legal Update Programs for Oneida County Bar Association - Criminal Law and Procedure (1982, 1983, 1985, 1987, 1993, 1994).

Update on Appellate Practice (Panelist), Onondaga County Bar Association (Fall 1992).

“Protecting Sexually Abused Child Witnesses - Law's Call to Psychiatry”, SUNY Health Science Center, Department of Psychiatry Grand Rounds Lecture, October 26, 1989 (sponsored by Central New York Psychiatric Center).

Update on Motion Practice, CLE Seminar on Criminal Omnibus Motion Practice sponsored by the Onondaga County Bar Association, Nov. 14 and 16, 1989, Syracuse, New York.

Child Witnesses, New York State City Court Clerks Seminar, September 22, 1989, Buffalo, New York (sponsored by New York State Office of Court Administration).

Child Witnesses, New York State Association of Clerks of Family Court Seminar, September 1, 1989, Buffalo, New York (sponsored by New York State Office of Court Administration).

“The Fourth Amendment: Second Edition”, Bicentennial Constitutional Workshop presentation to area high school teachers, July 13, 1988, sponsored by Project LEGAL (Syracuse University Maxwell School of Citizenship and Public Affairs).

“Justice - A Status Report”, Morrisville Community College (SUNY), Black History Month Program, February 17, 1988.

“We The People” - Keynote Address for Madison County Bar Association Law Day Program, May 1, 1987.

“The U.S. Constitution - 200 Years Later: A Criminal Law Perspective”, Criminal Justice Forum sponsored by the Criminal Justice Management Institute, University College, Syracuse, April 28, 1987.

Debate on “The Future of Miranda” with Assistant U.S. Attorney General Stephen Markman, April 7, 1987 (sponsored by the Federalist Society, S.U. College of Law).

Op-Ed. “Testing for Drugs”, Syracuse Herald American, January 18, 1987.

Presentation, “Criminal Law and Mental Illness”, SUNY Health Science Center, Department of Psychiatry Grand Rounds, October 23, 1986 (sponsored by Central New York Psychiatric Center).

Discussion on the Death Penalty, WCNY Program (Good Afternoon), July 28, 1986.

Panelist, “Child Abuse - Accuser and Accused - Rights in Conflict” (sponsored by N. Y. Civil Liberties Union, Central New York Chapter), Syracuse, New York, April 16, 1986.

Op-Ed. Ethics – “Subpoenas to Defense Attorneys Concerning Fees”, Press and Sun-Bulletin (Binghamton, NY), March 1, 1986.

“Family Privileges in Criminal Cases”, Onondaga County Bar Association Assigned Counsel Program (co-sponsored by the NYS Defenders Association, Inc. and the Law Guardian Program of the Appellate Division, Fourth Department), November 2, 1985, Syracuse, New York.

“State and Federal Jurisdiction in Personal Injury Litigation”, presented to Conference sponsored by Robin Thompson & Partners, Solicitors, London, June 1985.

Discussion of Report of the New York Committee on Sentencing Guidelines, WCNY Program (Good Afternoon), April 1985.

“Fixed v. Indeterminate Sentencing”, Discussion of the Report of the New York Committee on Sentencing Guidelines (with Onondaga County District Attorney), Criminal Justice Forum, University College, March 1985.

Panelist: Current Developments in RICO Litigation, S.U. Law Forum, November 1984.

Update on Criminal Law and Procedure - Program sponsored by S. U. College of Law, Onondaga County Assigned Counsel Program and New York State Trial Lawyers Association: Panelist - Criminal Law Update: Panelist: Preserving the Record for Appeal, May 1984.

“Combating Crime: What the Public Needs to Know and What the Public Can Do”, Rotary Club of Utica, July 1982.

“Crime and Courts – Justice”, Syracuse University Honors Convocation, February 1982.

Panelist: “Double Messages: The Right to Treatment and the Right to Refuse Treatment” – 12th Annual Criminal Justice Institute sponsored by the New York State Probation Officer's Association, Inc., April, 1979, Syracuse, New York.

Panelist for WCNY production of program entitled “Good Time” concerning the award of time off for good behavior in New York Correctional Institutions, September 1980.

“Introduction to Subject Matter Jurisdiction, Choice of Forum, Venue, Removal, Pendant and Ancillary jurisdiction, Process and Pleadings”, March 27, 1980, Binghamton, New York' Program on Federal Court Practice sponsored by Broome County Bar Association.

New York Bar Review (BAR BRI): Conflict of Laws (1978-1982); Criminal Procedure (1980).

New Jersey Bar Review (BAR BRI): Criminal Procedure (1979-1980).

Professional Affiliations and Services:

Bar Association Memberships: New York, Massachusetts, American Bar Association, Federal Bar Association (N.D.N.Y.).

Member ABA Amicus Curiae Briefs Committee 1984-1985, 1985-1986.

Member Board of Directors, Central New York Chapter of the American Civil Liberties Union (1976-1979); Vice-Chairperson of Board (1978-1979).

Member Board of Directors and Chairperson of the Legal Committee, Greater Cleveland Chapter of the American Civil Liberties Union (1974-1975); Presented with Civil Libertarian of the Year Award, June 1978.

Committee member of the Grand Jury Project, appointed 1998 by Chief Judge Judith S. Kaye, New York Court of Appeals, Final report issued March 31, 1999.