

# JUDICIARY TIMES

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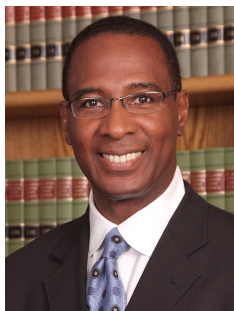
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## SPOTLIGHT ON THE MONMOUTH COUNTY COURTHOUSE

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# Every day is a good day to adopt a child

By Judge Glenn A. Grant  
Acting Administrative Director of the Courts



Judge  
Glenn A. Grant

We in the Judiciary set aside one day a year to celebrate adoptions and adoptive families.

It's a joyous occasion, quite possibly the happiest day of the court calendar.

However, we should not forget that every day there are many children who desperately need permanent parents and the stability a permanent home provides.

Before I became the acting administrative director of the courts, I was a judge in the family division in the Essex Vicinage.

I saw first-hand how some children were abused and neglected by their parents or caretakers and how others spent years in foster care, gradually losing hope that they would ever see their dream of a stable home. I also saw the joy and excitement in the eyes of adopted children, and their new parents, when their adoptions were finalized. They are images I will never forget.

Adoptions do not happen without the hard work and dedication of those who work in the child protection system, including the New Jersey Department of Children and Families, Child Protection and Permanency (DCP&P), the Attorney General's Office, the Office of the Law Guardian, and the Public Defender's Office, all of whom work closely with judges and court staff. It is a partnership dedicated solely to the well-being of children.

The path to permanency for adoptive children is lengthy. Before a judge can finalize an adoption, home studies are conducted, references are checked, prospective parents are trained and an inspection of the proposed home occurs. Once a child is placed with prospective parents, a DCP&P caseworker supervises their case.

It's a long road with a payoff that makes it all worth it.

For those who are committed to creating forever families for these children, especially the judges, attorneys, court staff and child advocates, adoptions are an event to look forward to, whether it be Adoption Day or any other day of the year.

It's a chance to celebrate the creation of stable families and the creation of lasting, safe and permanent places for kids to grow up happy and healthy year-round. It's a recognition of love in the purest of forms.

Adoptive parents are extraordinary individuals who open their hearts and their homes to children who are not their own. Many adopt children with special needs and even multiple siblings with special needs so that families can remain intact.

Mahatma Gandhi said the true measure of any society can be found in how it treats its most vulnerable members. Adoptions represent the best in our society.

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# Criminal Justice Reform in Bergen County

*Editor's Note: A version of this story was published in the newsletter of the Bergen County Bar Association.*

**By Bonnie J. Mizdol**  
Assignment Judge  
Bergen Vicinage

Jan. 1, 2018 marked the one-year anniversary of Criminal Justice Reform in New Jersey. As part of this process, the state constitution was amended, statutes were passed, new court procedures were adopted and procedures were changed in government agencies, institutions and across the different branches of government. These changes transformed our system from a defendant's ability to post monetary bail for pretrial release to a new risk-based system utilizing an objective risk assessment known as a "PSA" or public safety assessment.

The successful transition to using the new processes and procedures would not have happened without the hard work, dedication and collaboration of our vicinage personnel, our county partners and local stakeholders. The Bergen Vicinage worked closely with the municipal courts and judges, Bergen County Prosecutor's Office, Public Defender's Office, the Bergen County Sheriff's Department, local law enforcement agencies, the Bergen Bar Association and members of the private criminal bar on the successful implementation of this program.

Law enforcement officers throughout Bergen County are now responsible for obtaining a defendant's fingerprints via the LiveScan process, which allows officers to run a preliminary PSA.

This preliminary PSA draws from the current charges and considers the defendant's criminal history including prior convictions, pending charges and instances in which the defendant failed to appear for a court appearance, to determine whether they should be charged with an offense and to make a recommendation on whether a complaint-summons or complaint-warrant should be issued.

Law enforcement officers have overwhelmingly adopted this new procedure, reporting successful monthly compliance as high as 92 percent with the LiveScan process.

The Bergen County Jail also implemented new procedures. All defendants now charged on a complaint-warrant must be committed to the jail pending a risk assessment and a pretrial release hearing. Centralized first appearance hearings are held six days a week. On weekends and holidays, a courtroom at the jail is utilized.

The public can observe weekend and holiday court proceedings at [www.njcourts.gov/comis/criminal/reform.html](http://www.njcourts.gov/comis/criminal/reform.html). The new process has led to more than a 31 percent reduction in the non-sentenced pretrial jail population since the beginning of the year.



**Bergen Vicinage Assignment Judge Bonnie J. Mizdol**

The Bergen County Prosecutor's Office and Office of the Public Defender greatly contributed to the smooth and successful implementation of Criminal Justice Reform. They staffed pretrial release and pretrial detention hearings, adapted to the new statutes and court rules and adjusted their calendars and cases to accommodate the upcoming trials based on new speedy trial requirements. They promptly scheduled and handled detention hearings and seamlessly incorporated the new pretrial services systems, procedures and documentation into their daily functions.

With the support of our stakeholders, the Bergen Vicinage facilitated changes throughout the criminal, municipal and family courts to realize the vision of Criminal Justice Reform, of a fair, risk-based system of pretrial release that balances defendants' rights and the safety of the community.

Defendants are brought before a judge within 48 hours of their commitment to jail for a pretrial release decision. Pretrial services staff provide the court with extensive information in preparing the PSA and making release recommendations to the court. If pretrial release is granted, pretrial services staff monitor the defendant's conditions of release.

In the first 11 months of the new process, the Bergen Vicinage scheduled more than 1,900 defendants for first appearances within the 48-hour timeframe. More than 250 detention hearings were scheduled following the three-day rule. By the end of November, 104 defendants had been detained pretrial, while those who do not present great risks were released with appropriate conditions.

We are proud of the great strides made this year toward a fairer criminal justice system and continue to rely on the support of the Bergen Bar Association. The pretrial services program continues to evolve to meet community needs and it is important to inform community members about the new process. We encourage Bar members to join with us in engaging the community in understanding the new system's focus on equality and fairness.

# Celebrating the life and distinguished career of Judge Philip Anthony Gruccio

**By Karen Michael  
Administrative Specialist II  
Atlantic/Cape May Vicinage**

Judge Philip Anthony Gruccio, who served as assignment judge in the Atlantic/Cape May Vicinage and on the Appellate Division, died Feb. 8. He was 88.

Judge Gruccio initiated a variety of new complimentary dispute resolution concepts while serving as assignment judge, including mediation of small claims in special civil cases and early settlement programs in the civil division and custody mediation and the juvenile referee program in the family division.

"Judge Gruccio loved being the assignment judge and he will be missed by those who had the privilege of working with him," said retired Judge Richard J. Williams, a former assignment judge in the Atlantic/Cape May Vicinage and acting administrative director of the courts who worked closely with Judge Gruccio. "Judge Gruccio, in his role as assignment judge, was an energetic supporter of innovation in court administration."

Judge Gruccio was raised in Vineland and graduated from Georgetown University and Georgetown University Law Center.

Current Atlantic/Cape May Vicinage Assignment Judge Julio L. Mendez, who was named to that post in 2011, chuckled when he recalled Judge Gruccio telling him, "Mendez...I just want to remind you that you are not the first assignment judge from Vineland to serve in Atlantic and Cape May counties."

"I hope that, as assignment judge, to be the kind of person and judge that he was," Judge Mendez said. After Judge Gruccio graduated from law school, he served in the U.S. Air Force from 1952 until 1954. When he returned home, he practiced law until he was appointed to the Superior Court in 1972.

Judge Gruccio became assignment judge in 1980 and was appointed to the appellate division in 1985. "I was so fortunate to begin my career in the Judiciary around the same time that Judge Gruccio became assignment judge," said Trial Court Administrator Howard

H. Berchtold Jr., who with Judge Gruccio became a fellow of the Institute for Court Management in 1986. "He was committed to court administration and the role of managers in the court system."

After he was appointed to the Appellate Division, Judge Gruccio designed his chambers to highlight aspects of Atlantic County life. Judge Nelson C. Johnson currently occupies those chambers, which he has dedicated to Judge Gruccio with a portrait that hangs on the wall.

"I can fill these chambers with furniture and books, but I cannot fill his shoes," Judge Johnson said. "Judge Gruccio administered justice with wit, wisdom and compassion."



**Judge Philip Anthony Gruccio**

After he retired from the bench in 1992, Judge Gruccio served as associate dean at Widener University Delaware Law School and earned the Distinguished Adjunct Professor Award. He also was awarded the Bishop's Medal and the Thomas More Award, both from Diocese of Camden; the Distinguished Service Award from the Delaware Volunteer Legal Services and the Gregor Mendel Award from St. Augustine Preparatory School in Buena Vista Township, Atlantic County. Judge Gruccio also served as a legal consultant to Mission to Ethiopia, Center for Democracy and Governance, USAID.

He is survived by his wife of 65 years Doris; daughters, Christina and husband James, Diane and husband Lawrence, Barbara, and Lisa; son Philip and wife Denise; grandchildren, Elizabeth, Jeffrey and wife Johanna, Nicholas, Madeleine, Matthew, Phoebe; great-grandchild Bennett; sister Gloria and husband Joseph; brother James and wife Marie Elena. A private service was held on Feb. 13.



**Atlantic/Cape May Vicinage Assignment Judge Julio L. Mendez and Judge Nelson C. Johnson stand beside a portrait of Judge Philip Anthony Gruccio. The portrait hangs in Judge Johnson's chambers in Atlantic City.**

# Taironda Phoenix named assistant director for civil practice division

By Mike Mathis  
Judiciary Times Editor

Taironda Phoenix has been named assistant director for the civil practice division of the New Jersey Judiciary, Judge Glenn A. Grant, acting administrative director of the courts, announced today.

Phoenix succeeds Kevin M. Wolfe, who retired last year. Her appointment is effective April 28. Phoenix will oversee a division that provides support to all local civil division judges and managers and staff. The division also staffs several Supreme Court committees, judge conferences, and civil division conferences. The division also is responsible for administration of statewide civil commitments and guardianships.

"Tori brings great talent and ability to her new position. We look forward to her expanding her leadership role in our organization," Judge Grant said.

Phoenix joined the Judiciary in 2010 and has served as chief of civil court programs since July 2013. Her duties include administering the civil arbitration, civil mediation and multicounty litigation programs and developing and implementing policies and procedures for the complex business litigation and expedited civil actions pilot programs.



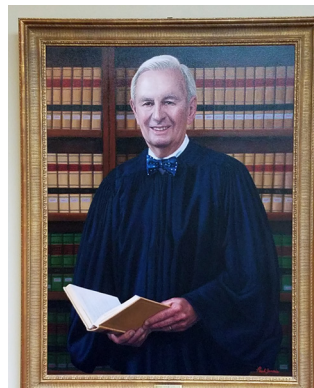
**Taironda Phoenix**

Phoenix also served as an acting assistant to the administrative director of the courts, staff attorney in the civil practice division and was an attorney in private practice. She earned a bachelor's degree in commerce from the University of Virginia and a law degree from Widener University Delaware School of Law. She also served as a law clerk to New Jersey Supreme Court Associate Justice John E. Wallace Jr.

## Portrait of Justice Pollock unveiled



**Retired New Jersey Associate Justice Stewart G. Pollock addresses the court from the bench.**



**From L to R: Morris/Sussex Vicinage Assignment Judge Stuart A. Minkowitz and Chief Justice Stuart Rabner stand to honor Justice Pollock.**

Friends, family and former colleagues gathered at the Morris County Courthouse in Morristown on March 2 to honor retired New Jersey Supreme Court Associate Justice Stewart G. Pollock and unveil his official portrait. Guests included Chief Justice Stuart Rabner, four other Supreme Court justices, retired Chief Justice Deborah Poritz, Superior Court judges and federal magistrates and former law clerks. Justice Pollock's former law clerks commissioned the portrait, which was painted by Flemington artist Paul Jennis. It will hang in a second-floor vestibule in the courthouse. Justice Pollock, a lifelong resident of Morris County, sat on the Supreme Court from 1979 until 1999. He is of counsel at the Riker, Danzig law firm in Morristown.



# Probation celebrates Black History Month

By Beverly Murphy  
Attorney  
Office of Probation Services

For the past 14 years, probation services at the Administrative Office of the Court has hosted a month-long celebration of Black History Month. This year's observance began on Feb. 1 with a moment of silence in memory of the 50th anniversary of the deaths of Memphis sanitation workers Echol Cole and Robert Walker, which led to the pivotal 1968 Memphis sanitation strike and the involvement of Dr. Martin Luther King Jr. in that dispute. Dr. King was assassinated in Memphis on April 4, 1968. Rashad Shabaka-Burns, director of probation services, shared the inspirational story of his journey from Paterson to the highest levels of the New Jersey Judiciary. Probation services hosted a series of lunch-and-learn events throughout the month.

Cornell Williamson, Camden Vicinage assistant chief probation officer, spoke about the evolution of the civil rights movement in the United States. Louise Calloway, historian, founder, and curator of the Underground Railroad Museum of Burlington County, shared her insights on the network of secret routes and safe houses used by escaping slaves. Many Underground Railroad stations were located in New Jersey.

The Probation Services Black History Museum featured posters and artifacts that highlighted the African-American experience from ancient times in Africa through the civil

rights era. The month's events concluded with the 14th annual Black History Month program and luncheon. The program featured a rendition of Maya Angelou's poem *And Still I Rise* by Tamara Hicks of probation services, a dramatic oration by Frank Bridgewater, and the musical stylings of Scott Trent.



**These figurines were among the items on display in the Probation Services Black History Museum, which is set up each February to mark Black History Month.**

# Middlesex marks Black History Month

By Lisa Jodice  
Law Librarian  
Middlesex Vicinage



**A exhibit highlighting key events in the civil rights movement was displayed in the family courthouse.**

The Middlesex Vicinage Heritage Observance Committee hosted three events in February to celebrate Black History Month. The first event included African-American heritage displays depicting the era of slavery, the civil rights movement, sports and politics. The displays were available for viewing from Feb. 12 to Feb. 15 in the Middlesex County Family Courthouse in New Brunswick.

Jeffrey Sammons was a guest speaker at the second event, held on Feb. 16. Sammons discussed his book *The Harlem Rattlers and the Great War: The Undaunted 369th Regiment and the African American Quest for Equality*.

A heritage luncheon closed the month's events on Feb. 28. Many employees contributed dishes that reflected their African-American heritage. Facts and images from the civil rights movement were projected on the wall during the lunch. The committee also distributed weekly quizzes to test employees' knowledge of African-American history.

# Summit addresses changes, challenges for women in the legal profession

By Tamara Kendig  
Chief, Online and Outreach Services  
Administrative Office of the Courts

More than 100 attended the Summit on Women in the Law at the New Jersey Law Center on April 25. The event was sponsored by the Supreme Court Committee on Women in the Courts, which is chaired by Union Vicinage Assignment Judge Karen M. Cassidy.

"We were thrilled at the turnout," said Judge Cassidy. "I think the fact that so many attorneys - mostly women - were willing to forego their work for an entire afternoon to be involved in this event speaks to the ongoing need to keep addressing issues of gender in the courts and in the legal profession."

The summit comprised three panel discussions. The first panel discussed the progress that women have made as law students, attorneys and judges. Retired Supreme Court Justice Virginia Long and retired Appellate Division Presiding Judge Mary Catherine Cuff, who also completed a long-term temporary assignment to the Supreme Court before her retirement, recalled the small number of fellow women law students and the skepticism they faced early in their legal careers.

The second panel included a presentation by Dana Britton, a professor at Rutgers University and the director of the university's Center for Women and Work. Britton shared statistics showing ongoing inequality faced by women attorneys nationwide and emphasized that the intersectionality of race and gender made progress even more challenging for women attorneys and judges of color. Her presentation segued into a discussion by women attorneys whose career paths brought them away from the promotional track at traditional law firms.

Monmouth Vicinage Assignment Judge Lisa P. Thornton, who began her career in corporate law before moving into public service, was among those who shared their stories.

Judge Nancy Ridgway, presiding judge for the family division in the Atlantic/Cape May Vicinage, helped moderate the third panel. The speakers were attorneys in law firms and corporations who shared strategies for building successful careers, such as finding mentors and navigating difficult situations and micro-aggressions at work.

"We had great support for our event from Judge Glenn Grant, our director," said Judge Cassidy. "The fact is that women in the law continue to experience wage inequality and discrimination in the workplace. The summit provided a great opportunity to share ideas about how to address these ongoing issues and where we can focus our efforts to bring about lasting change."



The presenters spoke to more than 100 people at the summit, which was held on April 25 at the New Jersey Law Center in New Brunswick.



Meryl Nadler, counsel to the administrative director; Union Vicinage Trial Court Administrator James Agro and Union Vicinage Assignment Judge Karen M. Cassidy participated in the summit.

# Culture of Security

## The state of physical security in the courts

**By Robin Morante**  
**Chief, Court and Judicial Security Unit**  
**Administrative Office of the Courts**

### **Creation of the Court and Judicial Security Unit**

Judge Glenn A. Grant, acting administrative director of the courts, created the Court and Judicial Security Unit (CJSU) in July 2014 to highlight the growing role security plays in every aspect of court operations and to address the continuous and significantly increasing needs of the organization. Those needs include expanding the response to physical security requirements and developing and implementing training programs and security tools to better inform and equip staff. The Judiciary also acknowledged a need to enhance coordination with state, county and local law enforcement.

### **Initial Steps**

When CJSU conducted a needs assessment, it became clear that much work needed to be done. It began with harnessing assets already available: Judiciary employees. Through the creation of the concept of the culture of security, CJSU seeks to invest every employee in the overarching security mission through trainings such as situational safety and dealing with a crisis.

### **Support of Internal Court Users**

CJSU also assists and guide employees and managers when matters or questions surrounding workplace violence, security or threats arise. Questions could be

personal or policy-related and organization driven. CJSU strives to ensure that every internal customer is satisfied with our response and advocacy. CJSU assists the person who reports a propped-open controlled access door as passionately as the person who reports a threat.

### **Outreach**

CJSU's outreach to state, county and local law enforcement is based on the Judiciary Security Management Response Team (JSMART) program. JSMART is a task force of court security stakeholders, inclusive of CJSU, the New Jersey State Police, sheriffs' offices, and the U.S. Marshal's Service. These partners interact and communicate with operations managers statewide and collaborate on responses to threats, proactive security training, and projects that help improve court security.

JSMART is the only program of this type in the nation. In the past, law enforcement did not communicate across jurisdictions about court security and threats, limiting the ability to be proactive in predicting and preventing security breaches and incidents. Now, JSMART and the Suspicious Activity Monitoring System (SAMS) assists law enforcement at all levels with intelligence sharing and promotes opportunities for mutual aid and mentorship. Despite CJSU's work and collaboration with law enforcement, we are witnessing unprecedented violence on world stage and in our backyards. It is therefore important to remember that security is everyone's responsibility.

**Judge Glenn A. Grant, acting administrative director of the courts, created the Court and Judicial Security Unit in July 2014 to highlight the growing role security plays in every aspect of court operations and to address the continuous and significantly increasing needs of the organization.**



# What the Judiciary is doing to educate judges and staff on cybersecurity

By Sajed Naseem  
Chief, Information Security Unit  
Administrative Office of the Courts

## Information Security Unit Mission

The Information Security Unit (ISU) works with all Judiciary offices to help ensure the safety of its data and infrastructure. The following are some of the ways ISU has helped educate judges and staff on the importance of cybersecurity.

## National Cybersecurity Awareness Month – October 2017

In October 2017, the New Jersey Judiciary observed National Cybersecurity Awareness Month with a number of initiatives designed to raise cybersecurity awareness among judges and staff. Videos, posters and training courses were developed as part of this effort.

## Cybersecurity Video

Chief Justice Stuart Rabner; Judge Glenn A. Grant, acting administrative director of the courts; Chief Information Officer Jack McCarthy and Chief Information Security Officer Sajed Naseem developed a video about the importance of cybersecurity in the New Jersey Judiciary and how everyone in the organization, including judges and staff, works to keep confidential data safe.

## Courthouse Posters

Posters were developed with the assistance of the Office of Communications and Community Relations and the AOC Print Shop. The poster themes included Stay Internet Safe at Home, Beware of Phishing: Don't Fall Prey to Email Scams, Beware of Vishing: Don't Fall Prey to Voice Phishing Scams and Be Social Be Safe: Safe Use of Social Media. More than 3,000 posters were distributed throughout the Central Office, the vicinages and municipal courts.

## Training Workshops

Several workshops on topics such as phishing and social media safety were conducted at the Richard J. Hughes Justice Complex in Trenton and shared via Skype with vicinage staff. More than 900 judges and court staff attended and participated in the following training opportunities:

- The "Phish or Phlee?" session provided general information about phishing, or email scams, and how internal court users can avoid falling prey to scams.
- The Judiciary Institute for Staff Attorneys (JISA) course Data Governance & Security highlighted lessons learned from real-life data incidents.

- In Personal Security in the Age of Social Media, ISU collaborated with the Court and Judicial Security Unit (CJSU) to educate staff on the data and physical risks associated with social media.
- The Your Computer Security session reviewed cybersecurity guidance for work and personal computers.
- A JISA course on technology competence, Be Afraid: Ethics and Competence with Technology was provided by staff to the Supreme Court Committee on the Rules of Professional Conduct.

The progress advanced by Cybersecurity Awareness Month was made possible by the collaboration of Central Office and vicinage leadership and staff at all levels.

## Continued Efforts

As a follow up to Cybersecurity Awareness Month, the Judiciary is developing an organization-wide program about securing confidential data.



A series of four posters was produced by the Office of Communications and Community Relations and the Information Security Unit to educate judges and staff on cybersecurity threats such as phishing.

# Law Day 2018: "Separation of Powers: Framework for Freedom"



Judge Glenn A. Grant, acting administrative director of the court, administered the Oath of Citizenship to 48 new citizens from 27 nations during a naturalization ceremony at the Richard J. Hughes Justice Complex in Trenton on May 1 as part of statewide Law Day observances. State Attorney General Gurbir S. Grewal addressed the new citizens. Details of events in courthouses around New Jersey will be featured in the summer *Judiciary Times*.

## Morris is Child Support Unit of the Year

By Michael Lasko  
Vicinage Chief Probation Officer  
Morris / Sussex Vicinage

The Morris/Sussex Vicinage's child support enforcement services in Morris County has been named enforcement services unit of the year.

Carol Kolosy, who works in the finance division in Sussex County, has been named supervisor of the year. The awards were announced at the New Jersey Child Support Council's 36th annual training event in March. The unit collected \$61.8 million, or 74.4 percent of obligations due, to support the children of New Jersey. "This award is a testament to the hard work and dedication the staff in

Morris exhibit on a daily basis to ensure children receive the child support they are entitled," said Michael Lasko, chief probation officer for the vicinage. Kolosy has been involved in the vicinage's transition from three child support programs over the last 17 years and has dedicated herself to be a statewide expert on the current system, NJKiDS.

"Carol takes great pride in achieving excellence and accountability for all aspects of the Finance responsibilities incorporated within NJKiDS," Finance Division Manager James Nicolls said. The New Jersey Child Support Council provides training to child support staff throughout the state.



# Too little, too late? Not this time

**Editor's Note:** *This is the sixth in a series that highlights interesting complex business litigation cases. The Complex Business Litigation Program is designed to streamline and expedite service to litigants in complex business litigation. Under the program, cases are assigned either to the complex commercial case type or the complex construction case type, and are individually managed by a judge with specialized training on business issues. The Supreme Court established the program, which became effective on Jan. 1, 2015, to resolve complex business, commercial and construction cases.*

## LC Construction Company, Inc. v. Greenwich Township v. Remington & Vernick Engineers, Inc.

At issue in this case was defendant/third-party plaintiff, Greenwich Township's motion for leave to amend its counterclaim and third-party complaint, which was strenuously opposed by plaintiff LC Construction Co., Inc. and third-party defendant/counterclaimant, Remington & Vernick Engineers, Inc.

LC Construction filed a complaint against Greenwich on Nov. 19, 2012. Greenwich filed its answer on Feb. 25, 2013 and subsequently filed an amended answer, counterclaim and third-party complaint against Remington on Dec. 26, 2013. Remington filed an answer and counterclaim on Feb. 6, 2014. Greenwich filed its answer to the counterclaim on May 2, 2014.

During the course of litigation, discovery was extended eight times. In a February 2016 management order, discovery was stayed to allow settlement discussions in this case and in other related matters.

The order provided that if the parties did not settle by May 20, 2016, another discovery extension would be permitted. Greenwich's motion was filed on July 7, 2016, at which time trial was scheduled for Nov. 7, 2016.

At the time the motion was filed, discovery was not complete, expert reports had not been exchanged, expert depositions had not been taken and the discovery end date had not been extended.

Court Rule 4:9-1 dictates that amendments to pleadings are to be freely and liberally granted in the interest of justice. New Jersey case law is also clear that leave to amend shall be freely granted.

The decision rests solely within the trial judge's discretion; however, consideration should be given as to whether the non-moving party would be prejudiced and whether the amended claim would fail, rendering the amendment meaningless.

Denial of the motion can be appropriate when made on the eve of trial, especially if the movant seeks to add new parties. Greenwich contended the proposed amendment was only

a clarification and its claims were long known by each defendant. Remington argued that the amendment would be futile, prejudicial, and that it added an entirely new design defect claim that would require restarting discovery, further lengthening the litigation.

Although Greenwich could have filed its motion sooner, the court found the delay was not tactical or strategic. The court also found the design defect claim against Remington was no surprise, as it had been discussed throughout discovery.

Additionally, substantial discovery still was necessary regardless of whether or not the amendment was permitted. The court ultimately granted Greenwich leave to amend. Since another discovery extension was already contemplated, reopening and extending discovery would avoid any anticipated prejudice by automatically adjourning the trial date. The parties continue to litigate this matter.

For more information about New Jersey's Complex Business Litigation Program go to [www.njcourts.gov/courts/civil/cblp.html](http://www.njcourts.gov/courts/civil/cblp.html).

## Editor's Note

**The deadline for the Summer 2018 edition of the *Judiciary Times* is Friday, June 22. Feature stories about court programs and newsworthy profiles about judges and court staff are welcome. Submissions can be sent to [Mike.Mathis@njcourts.gov](mailto:Mike.Mathis@njcourts.gov).**

# Spotlight: Monmouth County Courthouse

*Editor's Note: This story is the seventh in a series detailing the rich histories of New Jersey's courthouses.*

**By Mike Mathis**  
Judiciary Times Editor

Before there officially was a United States, there were courts in Monmouth County.

The earliest known courthouse in the county dates back to 1714 when Monmouth County – established on March 7, 1683 – formed its first government and erected a courthouse and jail at Main and Court streets in Freehold. That spot in the county seat, where the county's Hall of Records stands, served as the location for a county courthouse until 1954.

Believed to be a small frame structure, the first courthouse, which also housed a jail, was replaced in 1719 after two prisoners escaped. The building was used for eight years until it was destroyed by fire.

Its replacement, completed in 1731, was the site of the reading of the Declaration of Independence several days after its adoption in Philadelphia on July 4, 1776. During the American Revolution, the courthouse was used to care for British and American soldiers wounded in the Battle of Monmouth, a skirmish that tipped the war in favor of the Continental Army.

A fourth courthouse on that same site was completed in 1809, but that sustained two fires, one started by a prisoner in 1855, and another in 1873. Using some of the stonework from that building, workers rushed to build a new courthouse in just four months. In 1884, a large addition was added to the rear of the courthouse along Court Street.

Yet another fire, this one in 1930, caused extensive damage to a stairway and belfry. The decision, this time, was to locate

its replacement two blocks north, on Court Street next to Monument Park on farmland donated to the county by the Schank family. Completed in 1954, the Monmouth County Courthouse, expanded over the years, now consists of four floors and three wings.

The original 1954 portion of the courthouse is now called the south wing. The west wing was built in 1968 and the east wing was built in 1980.

The Hall of Records, which still stands at the location of the earliest courthouses, contains the administrative offices of the freeholders and county surrogate.

It also still houses a courtroom and chambers, adhering to a provision in the original 1714 deed with landowner John Reid. Reid sold the property to the county for a mere 30 shillings on the condition that it never stop being used as a courthouse, according to the Monmouth County website.

The monument in front of the courthouse commemorates the Battle of Monmouth, which occurred on June 28, 1778 near present day Freehold. More than 90 feet high, the monument is one of the tallest in New Jersey. It was dedicated on Nov. 13, 1884 and rededicated on Nov. 17, 1984.

Five bronze relief tablets on the base of the monument depict Revolutionary War scenes and figures, including George Washington, Lt. Col. Nathaniel Ramsey and Molly Pitcher.



**The current Hall of Records in Freehold. Under a deed provision, the land will revert to the previous owner if the property ceases serving as a courthouse.**



**The Monmouth County Courthouse in Freehold as it appears today.**