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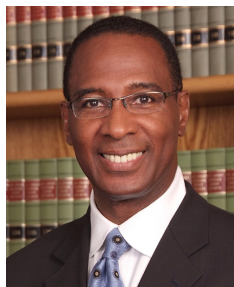


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Criminal Justice Reform: Reaching Our Destination

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



Judge
Glenn A. Grant

Criminal Justice Reform is no longer an idea. It is now reality. More than two years of behind-the-scenes work is finished. We have hired new employees, trained both judges and pretrial staff on the intricacies of the new law, revised our processes and procedures and coordinated trainings for both law enforcement and the defense. We have created a seamless technological platform that electronically processes all stages of a defendant's case from arrest through pretrial monitoring, trial and final disposition. The New Jersey court system is the only jurisdiction in the country where such complicated and coordinated computer interfaces could occur on a statewide level.

With changes of this magnitude, there are often expected and unexpected twists, challenges and obstacles. We are attempting to undo a system of operation that has existed for several decades, and we face opposition from opponents who did well under the old system. We can proudly note that we have navigated through all of the operational, technological and other roadblocks to successfully implement this new way of business. This accomplishment would not have been possible without the leadership, dedication and commitment of the judges and administrative leaders of our courts.

We have reached our initial destination: A better system of deciding whether defendants should be detained or released, detaining those defendants who pose a risk to public safety and ensuring that those detained have their cases are processed in the New Jersey courts as expeditiously as possible. However, as with most important issues of our society, long-term success is not guaranteed and must be earned by the hard work of the members of the criminal justice system. We must be vigilant in our efforts to keep this new program on course.

We still have a distance to travel before Criminal Justice Reform is fully accepted and embraced by all elements of the criminal justice system and most importantly by our citizenry. We can point to the extraordinary cooperation and support from the leaders of our courts, Chief Justice Rabner and the other members of the Court, the judicial leaders from the Judicial and Administrative Councils, the Presiding Judges and other champions of this project to help us maintain the course and overcome the next hurdles.

Two such external proponents of this sea change are leaders from the executive branch. The Attorney General's Office and the last three attorneys general, Christopher Porrino, Robert Lougy and John Hoffman, have been steadfast advocates for Criminal Justice Reform, as has New Jersey Public Defender Joseph Krakora. The commitment to fairness and equality from both offices has served as one of the guideposts or foundations for this successful implementation. We will continue to look to these offices for support and cooperation.

The foundation for this historic effort are built upon the markers and guideposts of our past. The New Jersey Judiciary has traveled along roads similar to this initiative several times since the enactment of the 1947 New Jersey Constitution. For the last 70-plus years, we have been dedicated to the never-ending search for fairness, equality and justice. And today, with our criminal justice partners at all levels of government, the New Jersey Judiciary has implemented changes to our system of justice, which relies upon analytics and objective based measures of risks, all with the goal of ensuring

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The chief justice is Stuart Rabner. The acting administrative director of the courts is Judge Glenn A. Grant.

Please send short news articles, photos and suggestions to mike.mathis@njcourts.gov. Submissions are subject to editing and might not be published.

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Criminal Justice Reform Off to a Strong Start

By Peter McAleer
Communications Manager
Administrative Office of the Courts

One month into the start of Criminal Justice Reform, prosecutors have been successful in detaining potentially dangerous defendants until trial while defendants who present a low risk of violence are no longer remaining in jail solely because they lack financial resources.

"As would be expected with any change of this magnitude, we are closely observing the program to see if adjustments need to be made," said Judge Glenn A. Grant, acting administrative director of the courts. "However, the results of the first month of Criminal Justice Reform show the transition has been effective in reaching its initial goals."

Under a constitutional amendment that went into effect on Jan. 1, a prosecutor is now able to file a motion requesting defendants be held until trial without bail.

From Jan. 1 to Jan. 28, the state made successful motions for detention in 283 of 506 cases (56 percent). In the remaining 223 cases, the defendants were released under the supervision of pretrial services program with conditions imposed based on their level of risk.

State Attorney General Christopher S. Porrino noted that a recent sweep of 29 fugitives who were out on bail under the old system resulted in 22 of those defendants being held without bail until trial.

The new law, he said, was instrumental in the issuance of a new directive aimed at preventing victim and witness intimidation.

"Criminal Justice Reform offers law enforcement a unique opportunity to address the issue of witness intimidation," Porrino said. "What we've seen so far is that Criminal Justice Reform is working the way it was intended to work."

New Jersey Public Defender Joseph Krakora also said the new system is "already working."

"Under the old system, many of our clients who were accused of non-violent offenses sat in jail for months because

they could not afford minimal bail amounts while other defendants charged with serious violent offenses could buy their way out of jail if they had the means to do so.

Defendants released on bail were not subject to any form of monitoring or supervision," Krakora said.

"The new law eliminates the discrimination against poor people inherent in a money bail system on one hand and allows for an intellectually honest determination by judges that certain individuals accused of crimes pose too great a risk to public safety to be released on the other."

"The results of the first month of Criminal Justice Reform show the transition has been effective in reaching its initial goals."

— Judge Glenn A. Grant
acting administrative director of the courts

- As of Jan. 30, a total of 2,059 defendants were under the supervision of the Judiciary's Pretrial Services program. Of those:

- 40 percent were being monitored at the highest level of supervision, which ranges from weekly in-person visits with pretrial services staff to electronic monitoring and house arrest;

- 45.5 percent were being monitored at lower levels of supervision, ranging from monthly in-person visits to contact by phone; and

- 14.5 percent were released on their own recognizance.

Criminal Justice Reform has also resulted in the minimal use of

cash bail in New Jersey.

"Like the bail system before it, Criminal Justice Reform does not eliminate the risk that defendants will fail to appear in court or commit new crimes while out on release," Grant said.

"For the first time in our history, however, there is an opportunity to detain defendants until trial without regard to bail and, for the first time, we've created a system that provides for the monitoring of defendants released until trial.

We look forward to continuing to work with prosecutors, public defenders and all of our criminal justice partners to ensure that this new system continues to work effectively."

Criminal Justice Reform: A Roadmap for Change

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fairness and enhancing safety. Criminal Justice Reform came about because it is not fair to incarcerate people simply because they do not have the money to post bail, and it is not in the public's interest to release people who could pose a danger to society simply because they have the money to be released.

These new enhancements continue to move us ahead on this highway of advancement because of the work all of you. This milestone is important because it moved the debate and conversations on the inequities and inequalities in a system of pretrial release based upon resources from a theoretical construct to actual implementation.

However, we should never lose sight that this criminal justice

initiative involves and affects real lives and families. This is where our individual and organizational vision of justice must conform to the CJR roadmap of change.

Today, we celebrate the milestones reached by our organization. We should be proud of the work accomplished so far. Accepting the congratulations, while also acknowledging that we have not reached our final destination and much work remains. We are at an important juncture in this continuous excursion to advance fairness and equality in our criminal justice system. The great work of the members of the New Jersey Judiciary fills me with great confidence in the state's ability to incorporate these new processes in our highways of justice and advancement not only for today, but also for future generations.

Burlington Vicinage Partnership with Library Wins Regional Court Management Award



The *Super Supervisors: Stepping Up to Supervision* program developed by the Burlington Vicinage and the Burlington County Library received the 2016 John Neufeld Award from the Mid-Atlantic Association for Court Management (MAACM) at this year's annual conference in Ocean City, Maryland.

The program brings two organizations together in a partnership to better train supervisors to gain understanding of the expectations of being a supervisor in each organization as well as the competencies, skills and knowledge needed to be supervisor.

Trial Court Administrator Jude Del Preore accepted the award on the behalf of the vicinage. He acknowledged

the leadership efforts of Library Director Ranjna Das and trainers Kathleen Carr from the library and Frank Carr from the vicinage.

The award recognizes those who have developed a significant or unique educational program or court management system in the Mid-Atlantic region. In 1999, MAACM officers and board of directors established the award to be presented annually in John Neufeld's memory.

Neufeld served as the chief of education and training for the New Jersey Judiciary for 15 years and served as education program coordinator for MAACM from 1996 to 1999. He passed away in 1999.

Appellate Division Judge Carol E. Higbee Passes at 66

By Mike Mathis
Judiciary Times Editor

Appellate Division Judge Carol E. Higbee died suddenly on Jan 3. She was 66.

Before Chief Justice Stuart Rabner appointed her to the appellate bench in July 2014, Judge Higbee - sitting in Atlantic County - oversaw multi-county litigation involving thousands of plaintiffs seeking damages for harm caused by a number of pharmaceutical products such as Levaquin and Accutane.

"Judge Carol Higbee devoted herself to the administration of justice for 24 years on the bench," Chief Justice Rabner said in a statement. "Her reputation for judicial scholarship and fair, evenhanded treatment of all litigants was well deserved. She will be sorely missed by her colleagues and friends in the Judiciary. Her passing is truly a loss to us all."

Judge Higbee was a civil trial attorney specializing in medical malpractice, product liability and personal injury cases before she became a judge. Gov. James Florio appointed her to the bench and she took her oath of office on Feb. 19, 1993. She was named presiding judge of the civil division in the Atlantic/Cape May Vicinage in 2005.

Judge Higbee served as chair of the Conference of Civil Presiding Judges and had been a member of Judicial Council. She also was chair of the Model Civil Jury Charge Committee.

"When Judge Higbee came to the Appellate Division two years ago, she brought to the panel her love of the law, her superb intellect, her easygoing demeanor and her capacity to get to the legal argument at the heart of an issue," said Judge Carmen Messano, the Appellate Division's presiding judge for administration. "We had such a short time with her, and we mourn her passing as a colleague and a friend."



Carol E. Higbee

Judge Higbee, who was raised in Upper Darby, PA., earned a Bachelor of Arts degree from Temple University and a law degree from the Beasley School of Law at Temple University.

Judge Higbee is survived by her husband, two children and a granddaughter. Funeral services were held Jan. 7 in Absecon, Atlantic County.

"Her reputation for judicial scholarship and fair, evenhanded treatment of all litigants was well deserved. She will be sorely missed by her colleagues and friends in the Judiciary. Her passing is truly a loss to us all."

— Stuart Rabner, chief justice

Vicinages Host CJR Kickoff Events

Bergen

By Kelly Gibson
Ombudsman
Bergen Vicinage

The Bergen Vicinage hosted its Criminal Justice Reform kickoff meeting at Fairleigh Dickinson University's Hackensack campus on Sept. 22. Assignment Judge Bonnie Mizdol welcomed more than 179 participants to the daylong event. Attendees included judges, Superior Court and municipal court staff, mayors, police chiefs and other criminal justice stakeholders in state, county and local government, law enforcement and corrections.

Chief Justice Stuart Rabner, Judge Glenn A. Grant, acting administrative director of the courts, and state Sen. Paul A. Sarlo delivered opening remarks. Speakers included Elie Honig, director of the state Division of Criminal Justice, and Public Defender Joseph Krakora, who shared their perspectives on the new law and how they see it impacting the criminal justice system and Vance Hagins, chief of the Judiciary's Pretrial Services Unit, who gave an overview of how the pretrial release system was developed, including how the public safety assessment will be weighted and utilized by staff.

Jennifer Perez, director of trial court services and Jack McCarthy III, chief information officer, spoke about the Judiciary's work to enable information to be shared to ensure accurate and reliable decision-making.

The day ended with a criminal justice panel discussion, moderated by Criminal Presiding Judge Susan Steele. The panel included Acting Bergen County Prosecutor Gurbir Grewal, Deputy Public Defender Louis Acevedo, Bergen County Sheriff Michael Saudino, Municipal Presiding Judge Roy McGeady and criminal defense attorney Frank Carbonetti.



Bergen Vicinage Assignment Judge Bonnie J. Mizdol poses with stakeholders at a criminal justice reform kickoff event in Hackensack on Sept. 22.

Middlesex

By Lisa Jodice
Law Librarian
Middlesex Vicinage

The Middlesex Vicinage held a Criminal Justice Reform seminar in New Brunswick on September 21. Assignment Judge Travis L. Francis and Trial Court Administrator Dawn Brevard-Waters welcomed the participants, who included judges, court staff, attorneys, police officers, and many others involved in the community.

Chief Justice Stuart Rabner and Judge Glenn A. Grant, acting administrative director of the courts, discussed the reforms that were to go into effect on Jan. 1, 2017. State Senators Patrick J. Diegnan, Samuel D. Thompson and Joseph F. Vitale; Elie Honig, director of the New Jersey Division of Criminal Justice; Public Defender Joseph E. Krakora and Joseph Krisza, head of the Middlesex County Department of Public Safety and Health, also spoke.

Jennifer M. Perez, director of trial court services and Jack McCarthy III, chief information officer, discussed information technology, the public safety assessment, and decision making framework. This synopsis was followed by a presentation by Steven A. Somogyi, assistant director of municipal court services, on how criminal justice reform will impact the municipal courts.

Criminal Division Presiding Judge Alberto Rivas, Municipal Division Presiding Judge Edward H. Herman, Middlesex County Prosecutor Andrew Carey, Assistant Public Defender Kevin Walker, Middlesex County Bar Association Trustee Kimberly Yonta, Criminal Division Manager Vicki Dzingleski DiCaro, Municipal Division Manager Cheryl E. Williams and Pretrial Services Manager Jorge Sanchez participated in a panel discussion.

Hudson

By Claribel Bautista
Assistant Criminal Division Manager
Hudson Vicinage

The Hudson Vicinage hosted its Criminal Justice Reform launch seminar on Oct. 6 at the Hudson County Community College – Culinary Arts Institute in Jersey City. Assignment Judge Peter F. Bariso Jr. welcomed the attendees and Judiciary Voices in Unity Choir delivered an inspiring rendition of the national anthem to begin the event. Chief Justice Stuart Rabner and Judge Glenn A. Grant, acting administrative director of the courts, and state Assembly Speaker Vincent D. Prieto delivered remarks to initiate the panel discussion on the reform and its impact on the criminal justice system.

Local leaders and representatives from the Administrative Office of the Courts, the state Attorney General's Office, Public Defender's Office, Hudson County Prosecutor's Office and Hudson County Bar Association spoke about how the Criminal Justice Reform will impact the courts, particularly at the municipal level, and how information technology will be used to implement the reform. Attendees included local stakeholders, county representatives, municipal court staff, local law enforcement agencies, and department heads and staff from local universities. Criminal justice students from local universities and colleges were encouraged to attend.

The *Launch into the Sea of Change* was illustrated through an image that was created by Christina Dellosso, daughter of Assistant Criminal Division Manager, Patricia Dellosso. The vicinage is continuing its efforts to educate the community on criminal justice reform through public forums.

Middlesex Holds Annual Diversity Day Luncheon

By Lawrence Bethea
Vicinage EEO/AA Officer
Middlesex Vicinage

The Middlesex Vicinage held its annual Diversity Day luncheon on Nov. 18. The theme of the celebration, which was sponsored by the Middlesex Vicinage EEO/AA Advisory Committee, was Diversity and Inclusion. The event promoted the fact that each employee is different and that those differences add value to the Judiciary and the public it serves. The program opened with remarks from Assignment Judge Travis L. Francis and Trial Court Administrator Dawn Brevard-Waters.

The highlight of the event was the show-and-tell presentation in which employees displayed and discussed artifacts that were important to their race, culture, ethnicity, or national origin. Meiying Chung, Pradnya Kulkarni, Judge Dennis Nieves and Lawrence Bethea respectively discussed the history of tea in China, the dances of India, the history of the people of Puerto Rico and the history of the Hairston family, whose story was chronicled in the book *The Hairstons, An American Family in Black and White*.

A potluck luncheon featuring foods from around the world also was served. The event was organized by the following members of the Vicinage EEO/AA Advisory Committee: Lawrence Bethea, Donna Drew May, Cheryl Graves, Laverne Harvey, Luis M. Hernandez, Alona Jackson, Hector Marciano, Alison Perez-Cabret, Ashok Sangisetty and Mary Ann Vazquez.

The following staff members contributed to the program: Sonja Asante, Lawrence Bethea, Dawn Brevard-Waters, Evelyn Campbell, Meiying Chung, Julio Delgado, Donna Drew-May, Margaret Fradella-Disch, Heather Green, Tamiko Harris, Luis M. Hernandez, John Kuhn, Pradnya Kulkarni, Alison Perez-Cabret, Ian Ratzlaff, Ashok Sangisetty, Mary Ann Vazquez and the Court Interpreters Unit.



Middlesex Vicinage EEO/AA Officer Lawrence Bethea offers welcoming remarks at the annual Diversity Day.

Court Helps Rutgers Mark 250th Birthday

In celebration of the 250th anniversary of Rutgers University, the Supreme Court heard oral arguments at Rutgers Law School in Camden on Oct. 26. The court heard two cases: *NL Industries, Inc. v. State* and *State v. James P. Kucinski*. The first asks the court to consider "Is the State entitled to dismissal of plaintiff's action, which seeks recovery of cleanup damages associated with lead contamination pursuant to the Spill Compensation and Control Act?" The second case asks "Did the prosecutor's cross-examination relating to defendant's silence and lack of detail provided to the police during his post-arrest interrogation violate defendant's right to remain silent and/or deprive him of a fair trial?" Following the arguments, the court met with law students and faculty for a question-and-answer session. The Supreme Court last heard oral arguments at Rutgers Law School in Camden in March 2009.



Bergen Vicinage Attends NJ JDAI Conference

By Laura Simoldoni
Trial Court Administrator
Bergen Vicinage

The New Jersey Juvenile Detention Alternatives Initiative (JDAI) All-Sites Conference was held at the Newark Airport Marriott on Oct. 13 and 14. Representatives from all 21 New Jersey counties participated.

The conference is held every three years. The theme of this year's conference was *Restoring and Transforming: A Future-Ready Juvenile Justice System*. Judge Glenn A. Grant, acting administrative director of the courts and New Jersey Attorney General Christopher Porrino gave the opening remarks.

The conference included a number of workshops, including Strategies for Community, Youth and Family Engagement that Bergen Vicinage Senior Probation Officer Janice Conti presented. Conti's presentation was about the vicinage's Parent Orientation Program and the impact it has had on parents whose children are on probation.

On the last day of the conference, Family Division Manager Diana Moskal was awarded the Bergen County JDAI Champion Award for her dedication and commitment to the JDAI program and for her efforts to improve the lives of Bergen County juveniles. In 2004, the Annie E. Casey Foundation selected New Jersey as a replication site for the nationally recognized JDAI program.

The JDAI was developed in response to national trends

reflecting an increase in the use of secure detention for juveniles, despite decreases in juvenile arrests, and the resulting overcrowding of youth detention centers nationwide.

The JDAI works to reduce the number of youth held in secure detention while maintaining public safety and ensuring youth appear for scheduled court dates.

To accomplish this goal, the JDAI provides a framework for conducting a thorough, data-driven examination of the use of secure detention to develop and implement strategies for system improvement. Bergen's local JDAI membership includes vicinage staff from the probation and family divisions, judges, county and state stakeholders and community family service providers.



Staff from the Bergen Vicinage, led by Trial Court Administrator Laura Simoldoni (far left) attended the New Jersey Juvenile Alternatives Initiative conference in Newark in October.

Tax Court Learns about Access and Fairness

By Jeffrey Gallus
Court Services Supervisor 2
Tax Court

The Tax Court of New Jersey held a full day workshop to discuss access and fairness on Sept. 8. A total of 30 judges and staff learned about the Judiciary's access and fairness initiative and how the Tax Court contributes to the Judiciary's core values of independence, integrity, fairness and quality service. The workshop included open discussion, team building activities, and strategic planning.

To ensure that the Judiciary, as an institution, embraces access and fairness as an integral part of its core values, Chief Justice Stuart Rabner created the Supreme Court Advisory Committee on Access and Fairness. The work of the committee will help to set the tone for the operation of the Judiciary for the next quarter century and beyond. In his opening remarks, Judge Glenn A. Grant, acting administrative director of the courts, spoke about the

Judiciary's commitment to access and fairness and illustrated the importance of providing quality service. Staff members formed small groups and used a box of spaghetti and a bag of mini marshmallows to create the highest tower only using those two ingredients. Follow-up discussion focused on the effectiveness of teamwork and how staff can succeed, even with limited resources and differing ideas.

Tax Court Clerk Cheryl Ryan's presentation on access and fairness sparked a group discussion on where Tax Court succeeds in ensuring an open door to justice, its future goals and recommended steps to improve access to information and community outreach. Robin Morante and Roy Aycock of the Judiciary's Security and Court Access Services encouraged staff to make security a top priority and told them how to remain safe in crisis situations. The day ended with small group discussions of scenarios that judges and staff face daily.

Creating Forever Families on Adoption Day

National Adoption Day, held annually on the third Saturday in November, gives judges, attorneys, court professionals and child advocates the opportunity to come together as they witness the courtrooms fill with smiles as children become a permanent part of their new families. For those who are committed to creating forever families for these children, this annual event has become a highlight they look forward to every year. The following is a look at some Adoption Day activities across the state.

Burlington

The Burlington Vicinage celebrated its 10th annual National Adoption Day on Nov. 18. Assignment Judge Ronald E. Bookbinder welcomed everyone to the celebration and Judges Mark Tarantino and Gerard Breland finalized 10 adoptions. Judge Bookbinder remarked that “this was the happiest day of the year” for the court.

The celebration continued at the Funplex in Mount Laurel. A luncheon was held in honor of the adoptive children and families. Judge Tarantino congratulated the new families and Maryann Furphy of the New Jersey Department of Child Protection and Permanency thanked those present who worked to make the adoptions possible.

Handprint keepsakes were made for the children and the Bridges of Books and The Linus Project provided books and blankets to each family. The Burlington County Bar Foundation gave each adoptive child a toy bear.



Judge Gerard Breland poses with Tayna Chester and 7-year-old Tabri Chester after adoption proceedings at the Burlington County Courthouse in Mount Holly.

Middlesex

Middlesex Vicinage celebrated National Adoption Day on Nov. 15 at the Middlesex County Courthouse in New Brunswick.

Attorney James P. Nolan, chairman of the Middlesex County Bar Foundation's National Adoption Day Committee, was the master of ceremonies. Family Division Presiding Judge Deborah Venezia gave the opening remarks.

Judge Venezia presided over the adoption proceedings of 17 children. The adopting families, their children and attendees received balloons, games and gifts and also enjoyed a continental breakfast.

State Sen. Joseph Vitale; Allison Blake, commissioner of the New Jersey Department of Children and Families and John J. Hoagland Jr., a supervisor with PSE&G, also participated in the event.

The program was co-hosted by the Middlesex Vicinage, the New Jersey Department of Child Protection and Permanency, the Middlesex County Board of Chosen Freeholders, the Middlesex County Bar Association and the Middlesex County Surrogate's Office.



Judge Deborah J. Venezia presided over the adoption proceedings of 17 children at the Middlesex County Courthouse in New Brunswick.

Monmouth

Monmouth Vicinage held its 11th Adoption Day ceremony on Nov. 18. Twenty-two children and two adults were adopted into their forever homes. Family Division Presiding Judge Kathleen A. Sheedy, and Judges Teresa Kondrup-Coyle, James J. Mc Gann, Angela White Dalton, Mara Zazzali-Hogan and Terence P. Flynn, presided over the adoption proceedings.

"Adoption is, in every sense of the word, the most unselfish and loving commitment anyone can make," Judge Sheedy said as she opened the program and addressed the adoptive families. "You are all an inspiration."

Judge Sheedy encouraged public awareness of safe haven laws. New Jersey's Safe Haven Infant Protection Act allows a parent, or someone acting on their behalf, to surrender an infant less than 30 days old to any police station or hospital emergency room, safely, legally and anonymously.

Judge Sheedy acknowledged the compassion and dedication of James and Alfreda Swindell, who finalized the adoption of their third child that day. The Swindell family fostered children for more than 25 years and never turned

down the placement of a child in their home. Assignment Judge Lisa P. Thornton also gave remarks about the joy that surrounds Adoption Day and how it makes a difference in so many lives.

Keynote speaker Brenda Hodges was joined by her adopted son Di'Jon, who played guitar and performed an original song about his struggles in the foster care system. They presented the adoptive families with a recipe that spelled out the word adoption and encouraged them to "mix it all together in your heart and you'll have a forever family with love."

The families enjoyed refreshments and staff dressed as cartoon characters at a reception before the ceremony. Older adoptees received gift cards provided by the Monmouth Bar Association. Framed photos taken at the event were presented to each new family.

Information about the adoption process was provided to guests. Representatives from the New Jersey Division of Child Protection and Permanency and the Monmouth County Surrogate's Office were available to assist families and answer questions. The Court Appointed Special Advocates of New Jersey also participated.



Monmouth Vicinage Adoption Day keynote speaker Brenda Hodges with her son Di'Jon, who performed an original composition about his struggles in the foster care system.

Somerset / Hunterdon / Warren Counties

The family division held its annual Adoption Day in the Jury Assembly Room at the Warren County Courthouse on Nov. 18. More than 100 family members and friends gathered in the jury assembly room to celebrate the unification of 15 children with their forever families. After Family Presiding Judge Hany Mawla gave the opening remarks, Judge Kimarie



Patrick Carr and Shay Zamir with adopted son Quintez celebrate Adoption Day together at the Monmouth County Courthouse in Freehold.

Rahill addressed a standing room-only crowd, providing words of inspiration to the friends and families of those who were about to become parents for the first time and those expanding their immediate circles.

She commended the families, caseworkers from the New Jersey Division of Child Protection and Permanency (DCP&P), Court Appointed Special Advocates (CASA), law guardians,

deputy attorneys general, surrogates and Office of Parental Representation and Court staff for their efforts. Known for her tireless advocacy on behalf of children, Judge Rahill's dedication to the proposition that "justice delayed is justice denied" laid the foundation for the day's adoptions.

Judge Mawla commended the families for becoming heroes in the life of a child. "Opening your lives and homes to provide security and love is the stuff of heroes," he said. After the proceedings, the children were guests at a grand celebration that included food, crafts, live Comic-Con superheroes, gifts and cake. Various organizations donated time and gifts for the event, including CASA, DCP&P, the Hunterdon County Bar Association and the Warren County Sheriff's Office. Other partners included the family practice section of the Hunterdon County and Somerset County bar associations.

LCD v LED TVs: Is there a difference?

Editor's Note: This is the first in a series that will highlight 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.

Carlson v. Samsung Electronics America, Inc. ESX- L-1571-15

Kimberly Carlson filed a class action against Samsung Electronics America, Inc., in 2015, claiming Samsung violated the New Jersey Consumer Fraud Act by falsely advertising various model LCD TVs as LED TVs. A few months later, Samsung filed a motion to dismiss her claim. What's the difference?

According to Carlson, a true LED TV would have an LED (Light-Emitting Diode) display and light source. She claims the Samsung television she bought was advertised on the box as an "LED TV," but it only had an LED light source behind a different, lesser quality, LCD (Liquid Crystal Display).

Carlson filed her case as a class action, alleging that consumers were misled into paying more for TVs they believed used LED display technology rather than LCD. She claims these TVs were sold at a premium compared to other

TVs appropriately advertised as LCD televisions.

Samsung first argued that the advertising could not be false since Carlson admits the TV she purchased used LED technology and has failed to show how Samsung stated the TVs used LED rather than LCD display technology. Samsung also challenged Carlson's ability to file a claim for TV models that she did not purchase, but that she claimed were advertised as LED televisions but contained LCD displays.

Because Samsung sought to dismiss Carlson's complaint so soon in the proceedings, Superior Court Judge James S. Rothschild Jr. ruled that Carlson's allegations were sufficient to maintain her Consumer Fraud Act claim. Relying on a federal court opinion from New Jersey, Judge Rothschild ruled that the basis of Carlson's claims is identical for the various TV models listed in the complaint, which are closely related because Samsung marketed them the same way. Carlson could therefore proceed with her claims for all models listed in the complaint. The parties continue to litigate the matter.

New Attorneys Take Oath in Camden Vicinage Ceremony

**By Megan Gallardo
Operations Division
Camden Vicinage**

The Camden Vicinage and the Camden County Bar Association co-hosted a swearing-in ceremony for new attorneys at the Hall of Justice on Dec. 5. More than 20 of the vicinage's law clerks were included in the ceremony and took their oath as new attorneys before Supreme Court Associate Justice Faustino J. Fernandez-Vina and Assignment Judge Deborah Silverman Katz. Louis R. Moffa, president of the Camden County Bar Association, also spoke. "This is a great day of celebration for our vicinage. We are honored to celebrate these new attorneys as they carve a path for themselves in the legal profession," Judge Silverman Katz said. After the ceremony, the new attorneys attended a luncheon sponsored by the bar association.



**New attorneys
take the oath.**



**Assignment Judge
Deborah Silverman
Katz and New
Jersey Supreme
Court Associate
Justice Faustino
J. Fernandez-Vina
congratulate the
new attorneys.**

Court Resource Center Opens in Passaic

By June Zieder
Ombudman
Passaic Vicinage

Passaic Vicinage held a grand opening for the Mandak-Womack Resource Center on Oct. 24. Named for Judges Nicholas G. Mandak and Stephen H. Womack, the center — which is located in the courthouse across from the law library — is open to the public to prepare paperwork for court, access information on computers and make copies.

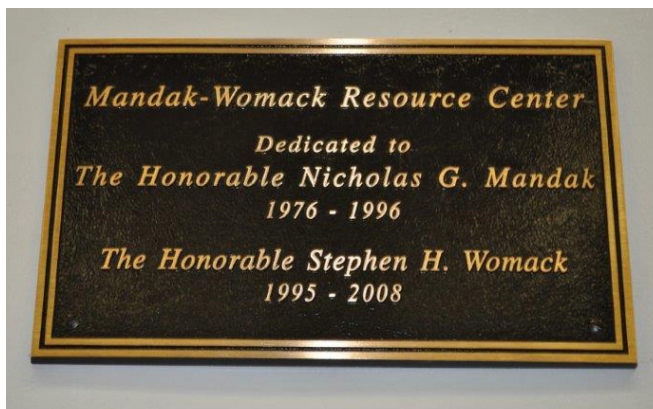
Information about court initiatives such as the Guardianship Monitoring Program and the Veterans Assistance Project also are available at the center, where staff is available to guide self-represented litigants through the court system and assist those who are having difficulty understanding court forms. Yolande Marlow, manager and staff to the Supreme Court Committee on Minority Concerns, spoke about the importance of the Resource Center and the contributions that Judges Mandak and Womack made towards ensuring that litigants were treated with equal access and fairness.

Judge Yolanda Adrianzen, chair of the Passaic Vicinage Committee on Minority Concerns, spoke about her fond memories working with Judge Womack and his commitment to the Minority Concerns Committee.

Presiding Criminal Judge Marilyn C. Clark gave a heartfelt speech on her years working with Judge Mandak and the respect she had for him and his dedication to his role as assignment judge. Retired Judge Richard M. Freid reflected on his long and close friendship with Judge Womack, which began when they were young attorneys.

Judge Adrianzen presented plaques commemorating the opening to Lorraine Mandak and Marguerite Womack, the surviving spouses of the judges.

Assignment Judge Ernest M. Caposela gave the opening remarks, followed by singer Laura Pryor, who performed *Somewhere Over the Rainbow*. The center is open Monday through Friday from 8:30 a.m. to 5 p.m.



The center is named for Superior Court Judges Nicholas G. Mandak and Stephen H. Womack.



Assignment Judge Ernest Caposela gives opening remarks.

Spotlight: Bergen County Courthouse

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

By Laura Simoldoni
Trial Court Administrator
Bergen Vicinage

The current Bergen County Courthouse is not the first courthouse but actually the sixth courthouse built for Bergen County. The land comprising New Jersey was once divided and known as East Jersey and West Jersey. In 1683, four counties were created in East Jersey: Bergen, Essex, Middlesex and Monmouth. In 1710, Hackensack became the county seat in Bergen.

In 1715, the first courthouse was built and was located three

blocks from the current courthouse. The courthouse also housed a jail. The second courthouse was built in 1734 near the "green" in Hackensack but was burned by the British in 1780 during the Revolutionary War. The third courthouse, a log building, was then built in Oakland. This was considered a temporary location, and the courthouse later moved to the home of John Hopper in Ho-Ho-Kus.

After the war, the courthouse was moved to the house of Archibald Campbell of Hackensack. Bergen County Freeholder Peter Zabriskie later donated land near his Hackensack home at the northeast corner of Main and Bridge streets and in 1786 a new courthouse and jail opened. Peter Zabriskie's home, called "The Mansion," was also called "Washington's Headquarters" because General Washington



The Bergen County Courthouse as it appeared in 1878.

frequently was a guest there. The Mansion later became a hotel and was demolished in 1945.

Because of space limitations, a new courthouse was built in 1822 at the location of the current courthouse. This building was in use for more than 90 years. James Riely Gordon, a civil engineer from Winchester, Virginia, won a competition to design the current Bergen County Courthouse. The style of the courthouse building is known as American Renaissance. The historical charm of the courthouse has even caught the eye of Hollywood. The courthouse has been featured in scenes from television shows including *Law and Order*, *Devil's Advocate*, *Changing Lanes* and networks such as Comedy Central and MTV.

Construction of the current courthouse began in 1910 and was completed in 1912 at a cost of \$1 million. The Medieval Revival-style jail was completed in 1912. The rotunda's interior dome is modeled after the Pantheon in Rome. A fountain which once occupied the first floor of the rotunda building was removed in 1930. In the 1930's, murals were painted in courtrooms 253 and 352 as part of the Works Progress Administration (WPA). An additional mural was added in courtroom 357 in the 1940s. All three murals were designed by Teaneck resident William Winter. The murals in Room 352, formerly known as the Supreme Court Room, represent the roots of American law. The murals in Room 253, formerly known as the Freeholder Chambers, represent local historical sights. The murals in room 357, formerly known as the Circuit Court Chamber, represent Roman law.

Stained Glass Skylights

There are four stained glass skylights in the rotunda building. The first is located in the rotunda dome and it measures eight feet in diameter. Eight trapezoidal sections carry the name of a historically significant English or American jurist. The three remaining skylights include the Bergen County seal. The glass utilized for these skylights was made by M.J. Lamb. The interior of the rotunda and its courtrooms were treated with marble, scagliola, which is a form of plaster, bronze and cast iron.

The exterior walls of the courthouse rotunda building



The Bergen County Courthouse in Hackensack. There have been six courthouses in Bergen County. The first was built in 1715. Construction of the current building began in 1910 and was completed in 1912.

were made from Vermont marble. On top of the dome is a copper figure entitled "Enlightenment Giving Power." Around the drum of the dome is a relief consisting of 40 panels that represent 12 tablets of the first Roman law. Five bronze eagles adorn the balustrades on the corners of the building. The eagles and "Enlightenment" were resurfaced with gold leaf in 1994. There are four sculptures on the front of the rotunda building that face Court Street. Two of the sculptures each contain three figures. The left group consists of truth holding a mirror flanked by justice and integrity. The right group consists of honor flanked by law and order. There are two statues located on the walls of the main steps. The left statue represents history and the right statue represents law.

Neoclassical Architecture

Construction for the administration building started in 1929 and was completed in 1933. The style of this building is Neoclassical. The exterior walls of the administration building were made from Arkansas limestone. The annex building that joins the administration building with the rotunda building was completed in 1958. The courthouse was placed on the New Jersey and National Registers of Historic Places in 1982 and 1983, respectively. The Green is the oldest public square in New Jersey. It is located across the street from the courthouse at the corner of Main and Court streets.

On the west side of the Green is a marker showing where the second courthouse stood before it was burned by the British in 1780. A bronze statue is located at the intersection of Court Street and Washington Place. This statue is of General Enoch Poor. General Poor, a New Hampshire native, was a hero at the Battle of Saratoga in 1777. General Poor served under General Washington. He was in New Jersey organizing an army to raid New York City. General Poor died in 1780 and is buried across the street from the Green at the Dutch Reformed Church. General Washington and the Marquis de Lafayette attended General Poor's funeral.

Panel Focuses on Hispanic Heritage Leaders

By Sharon Astorino
Administrative Specialist 4
Monmouth Vicinage

In recognition of the contributions of the Hispanic/Latino community, the Monmouth Vicinage hosted a panel discussion, *Hispanic/Latino Heritage: Leaders from the Bench and Bar* on Nov. 1. More than 100 people attended, including judges, the Monmouth County prosecutor and representatives from his office, attorneys, community leaders, vicinage employees, members of the public and representatives from a Hispanic media outlet.

Judge Thomas F. Scully, chair of the EEO/AA Advisory Committee, encouraged guests to celebrate the rich, diverse culture in the vicinage. He outlined the history of the month-long celebration and noted the numerous contributions of Hispanic-Americans that have strengthened the country.

Assignment Judge Lisa P. Thornton said there are 56.6 million individuals of Hispanic heritage in the United States, the nation's largest ethnic minority group. She said that diverse cultures should be honored, and the public should remember to celebrate all Americans, as diversity serves to "sew these cultures into our unique American experience." She explained that discussions on diversity of culture and race are important to bring about healing. Panelists Middlesex Vicinage Judge Pedro J. Jimenez Jr.; Fernando M. Pinguelo, a member of the Hispanic Bar Association of New Jersey; Assistant Monmouth County Prosecutor Alissa Goetz and Stephanie Brown, assistant corporation counsel for the Jersey City Department of Law, discussed their backgrounds.

Judge Jimenez said he was the first attorney in his family and there were no Latino lawyers in his community for mentoring or to provide resources. He said his mantra has been "do the right thing," even though you may not be viewed in a positive light. "Treat people right, pay it forward, and enjoy life," he said.

Pinguelo said there are few Latino attorneys to assist clients and cultural differences can have a major impact on the outcome of their cases. He said scholarship opportunities and community outreach programs are essential to allow minorities to pursue a legal education.

Goetz attended diverse schools and often immerses herself in the cultures around her. She said that the definition of diversity should be expanded to include diversity of thought.

Brown said that her interest was in social justice for people of lower socio-economic and minority backgrounds,

adding that diversity of experiences is important to the operation of our justice system. Following the program, guests gathered to discuss the material presented, forge new professional relationships and solidify existing ones. Judge Mara Zazzali-Hogan, chair of the Advisory Committee on Minority Concerns, led guests in the Pledge of Allegiance at the start of the event.

The event was sponsored by the Monmouth Vicinage EEO/AA Advisory Committee and Advisory Committee on Minority Concerns.



Participating in the panel discussion were (from left) Middlesex Vicinage Judge Pedro J. Jimenez Jr., Alissa Goetz, Fernando Pinguelo, Stephanie Brown and Monmouth Vicinage Assignment Judge Lisa P. Thornton.

Editor's Note

The deadline for the Spring 2017 edition of the Judiciary Times is Friday, March 10. Feature stories about court programs and newsworthy profiles about judges and court staff are welcome. Submissions can be sent to mike.mathis@njcourts.gov.

Did You Know?

The Judiciary's Communications and Community Relations Office has a graphic designer. Contact Nicholas Mancini at Designer.Mailbox@njcourts.gov if you need a publication, report, signage or programs for an upcoming event.

Bergen Vicinage Observes Hispanic Heritage Month

By Cheryl Cohen
Human Resources Supervisor
Bergen Vicinage

The Bergen Vicinage Hispanic Heritage Month Committee treated employees to a fun-filled, three-part celebration honoring Hispanic culture through recipe demonstrations, a baking contest, and our grand fiesta. Employees also were treated to a performance of flamenco dancing and taught how to play dominoes. The festivities began with a lunch-and-learn demonstration featuring mango recipes, held on Sept. 28. Attendees enjoyed sampling Mexican mango cake and mango tres leches cake. The second part of the celebration was a baking contest requiring the use of cinnamon and/or vanilla. Snickerdoodle cake baked by Nicole Manalio of the civil division won first place. The

contest, held on Oct. 7, was judged by Assignment Judge Bonnie J. Mizdol, EEO Officer Ryan Sylvia, and last year's first place winner, Liza Lopez.

The grand finale of the celebration was a fabulous fiesta, held on Oct. 21 in the jury room. The event featured a wide variety of dishes and desserts provided by employees. Judge Mizdol offered welcoming remarks—partially in Spanish—while her law clerk, Leidy Gutierrez, interpreted. Judge Estela De La Cruz, master of ceremonies, spoke about the history of Hispanic Heritage Month and the history of flamenco dancing and dominoes. Attendees were then treated to a special presentation of flamenco dancing, expertly performed by freelance court interpreter Klaus Jekeli and his friend Natallia Basava. Employees also enjoyed playing dominoes.



Assignment Judge Bonnie J. Mizdol speaks, with law clerk Leidy Gutierrez interpreting.



Freelance interpreter Klaus Jekeli and friend Natallia Basava demonstrate flamenco dancing.



Judge Estela De La Cruz served as master of ceremonies.

Middlesex Vicinage Hosts Annual Volunteer Recognition Dinner

By Luis Hernandez
Ombudsman
Middlesex Vicinage

The Middlesex Vicinage hosted its annual volunteer recognition dinner in North Brunswick on Nov. 7.

The theme for this year's dinner was "A Celebration of Choices."

Trial Court Administrator Dawn Brevard-Waters was the mistress of ceremonies. She spoke about the importance of volunteer service to the Judiciary and the community and indelible impact it has on many families.

Assignment Judge Travis Francis thanked the volunteers for all they do and also spoke about criminal justice reform.

Donna Drew-May, Susan Antonelos, Diane Benesz, Joycelin Bierach, Lawrence Bethea, Cheryl Williams, Margaret Fradella-Disch and Sonja Asante helped organize the event.



Middlesex Vicinage Ombudsman Luis Hernandez and Trial Court Administrator Dawn Brevard-Waters address volunteers at the vicinage's annual recognition dinner.

Rutgers-Camden Law '81: A Class of Judges

By Mike Mathis
Judiciary Times Editor

It's stating the obvious that most people attend law school to become lawyers. However, what's unusual about the Rutgers-Camden Law School Class of 1981 is how many of its 240 members – eight – ascended to the bench in New Jersey.

Supreme Court Associate Justice Faustino Fernandez-Vina served as assignment judge in the Camden Vicinage until he was named to the court in 2013. Karen L. Suter sits in the Appellate Division, as did Jane A. Grall until her retirement in 2014. Julio L. Mendez is the assignment judge in the Atlantic/Cape May Vicinage, where Patricia Wild hears criminal cases. Mark P. Tarantino and Philip E. Haines are assigned to the Burlington Vicinage, and Linda L. Lawhun sits in the Cumberland/Gloucester/Salem Vicinage. They had some common bonds: Some intended the law to be a second career, worked to pay for their educations or had family obligations, which left little time for socializing outside of class.

"It was a pretty tight-knit class," recalled Judge Wild, who sits in the criminal division in Atlantic County. "Our class had a lot of people who had other careers and then went to law school. We had life experiences and the class jelled well." "A lot of us were financially challenged and we ate lunch together," Judge Tarantino added. "The atmosphere was conducive to meeting a lot of people. But this was not a group of people that did things together."

Judge Suter, who commuted to law school from her home in Washington Township, Gloucester County, said family obligations made it was difficult to forge close relationships outside of class. "You would see them in class and talk to them," said Judge Suter, who was friendly with Judge Wild in law school. Judges Suter, Wild and Tarantino credited their career success to the education they received at Rutgers-Camden Law School.

"It gave you a good foundation in a lot of areas," Judge Suter said. "We had great professors and I learned a lot." Some of the jurists maintained ties long after they graduated from law school. Virtually all of them pursued careers in public service in some form before becoming jurists. Judges Tarantino and Haines practiced law for many years in Burlington County. Judge Haines — who was a state senator, freeholder and county clerk before he was appointed to the bench — served as prosecutor in tiny Fieldsboro before Judge Tarantino. When Tarantino became a judge, he assumed the Children-in-Court docket — which had been Haines' caseload — and was assigned Judge Haines' old chambers in the Burlington County

Courthouse in Mount Holly.

"I kind of followed in Phil's footsteps," Judge Tarantino said. Judges Suter and Wild worked as deputy attorneys general in the state Attorney General's Office, Wild in the Division of Criminal Justice and Suter in the Division of Law.

Judge Wild worked in the casino industry in Atlantic City for 19 years before she became a judge; Judge Suter was commissioner in the Department of Banking and Insurance and served in the Burlington Vicinage's civil and family divisions from October 2001 until she was named to the Appellate Division in 2015.

Justice Fernandez-Vina was a civil trial attorney who sat in the civil and family divisions in the Camden Vicinage before he became assignment judge in 2012. He was named to the Supreme Court in 2013.

Prior to his appointment to the bench, Judge Mendez was in private practice for 20 years. He then served as a staff attorney for the Cumberland County Board of Social Services, as Vineland City solicitor and as a trustee for Cumberland County College. Judge Lawhun was executive assistant Cumberland County prosecutor when she was nominated for a judgeship in 2012. "Everybody was a solid attorney and had a solid career," Judge Tarantino said.



Six of the eight members of the Rutgers School of Law-Camden who became jurists: Justice Faustino Fernandez-Vina and Retired Appellate Judge Jane A. Grall and Judges Philip E. Haines, Karen L. Suter, Linda L. Lawhun and Patricia Wild.



Assignment Judge Julio L. Mendez and Judges Mark P. Tarantino and Patricia Wild.