

Judiciary Times

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Administrative Office of the Courts
Communications and Community Relations

REMEMBERING AJ THORNTON



Judge Lisa P. Thornton, the Monmouth Vicinage assignment judge who broke barriers when she became the first woman of color appointed as the highest judge of a vicinage, died May 26, at the age of 59.

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Michael Noriega takes seat on New Jersey Supreme Court

Chief Justice Stuart Rabner administered the oath to Associate Justice Michael Noriega as the newest member of the New Jersey Supreme Court on July 6.

Justice Noriega's wife, Melissa, held the family Bible as their four daughters and extended family looked on. Justice Noriega fills the vacancy of retired Justice Barry Albin, who was in attendance along with the other members of the Supreme Court, members of the legal community, Gov. Phil Murphy, and First Lady Tammy Murphy.

Chief Justice Rabner gave special thanks to Appellate Judge Jack Sabatino, who was temporarily assigned to the state's highest court this past year.



Inside this issue



Jurists complete judicial studies program at Duke Law

Supreme Court Associate Justice Douglas M. Fasciale and Appellate Division Judge Jack Sabatino graduate from three-year program.

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Spotlight: Warren County Courthouse

The story is the 21th in a series detailing the rich histories of New Jersey courthouses.

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A message from the administrative director

Judge Lisa Payne Thornton passed away on May 26, 2023, at the age of 59, after a distinguished career in the law and in public service.

We are stunned and saddened by her loss.



GLENN A. GRANT

Administrative Director of the Courts

“Judge Thornton was admired and adored throughout the Judiciary and in Monmouth County for her kindness, wisdom, knowledge and strength.”

Judge Thornton was a trailblazer, the first Black female assignment judge in New Jersey, and a leader in the Judiciary’s implementation of Criminal Justice Reform. She devoted herself to the cause of diversity in the legal profession and was a fierce advocate for the things she believed in.

As the assignment judge in the Monmouth Vicinage, Judge Thornton was admired and adored for her kindness, wisdom, knowledge, and strength. She was deeply devoted to her family, friends, and colleagues.



A lifelong resident of Monmouth County, Judge Thornton was nominated to the bench by then-Gov. Jon S. Corzine in 2008. Before that, she worked in the governor’s office and the Attorney General’s office and earlier served as a municipal court judge in Neptune.



Chief Justice Stuart Rabner named her assignment judge in the Monmouth Vicinage in 2014.

Aside from her work, Judge Thornton enjoyed traveling, cooking, and spending time with her family.

To honor Judge Thornton and her dedication to the legal profession, the New Jersey State Bar Association has established The Hon. Lisa P. Thornton Memorial Scholarship for young Black women seeking to attend law school. The link to donate can be found at www.njsbf.org.

Please see our tribute to Judge Thornton on pages 8 and 9.

We miss Judge Thornton, but we know her legacy and the impact she made on the lives she touched will continue to be felt for years ahead.

Newest trial court administrators

Under New Jersey court rules, the administrative director of the courts appoints the trial court administrator in each vicinage. Director Grant named all of them based on the recommendations by the vicinages respective assignment judges.



Jack J. Failla II
Somerset/Hunterdon/Warren
Vicinage

“During Jack Failla’s 33 years with the Judiciary, his extensive experience with court operations and technology has helped the Somerset/Hunterdon/Warren Vicinage to fulfill its mission of providing access to all who need court services.

I am confident that he will continue to serve the public well in his new role,” said Glenn A. Grant, administrative director of the courts.

Failla, who has served as acting trial court administrator since February, succeeds Adriana Calderon, who retires July 1.

Director Grant said he named Failla on the recommendation of Somerset/Hunterdon/Warren Vicinage Assignment Judge Shanahan.

Failla began his career with the Judiciary in 1990 as an investigator in the Middlesex Vicinage’s criminal division where he worked for two years before serving four years as a probation officer.

Jack worked as an information technology analyst for six years and was promoted to IT division manager in 2002, a position he held for 14 years before serving as acting chief of information security for the Administrative Office of the Courts.

Failla moved to the Somerset/Hunterdon/Warren Vicinage in 2017 to become the IT division manager.

“I am deeply honored and grateful to have been selected as the trial court administrator, and I am excited to embark on this new journey of enhancing access to justice and ensuring the efficient functioning of our judicial system,” Failla said.

Failla earned his bachelor’s degree from Rutgers University.



Melanie Nowling
Passaic Vicinage

Nowling, the family division manager in the vicinage, succeeds Robert D. Tracy, who retires July 31 after 34 years with the Judiciary, including the past 10 as trial court administrator.

“In his many years with the Judiciary, Robert Tracy has acted as the consummate professional. Under his leadership, the vicinage has made a concerted effort to connect to the diverse communities of Passaic County, and I am confident Melanie Nowling will build upon this effort,” said Glenn A. Grant, administrative director of the courts.

Nowling’s appointment was effective on Aug. 1, 2023.

Nowling joined the Judiciary in 2005 as the assistant jury manager in the Hudson Vicinage, a position she held for seven months before becoming a supervisor in the vicinage’s Children in Court Unit in the family division.

She held the position of assistant family division manager from August 2007 to January 2011 before moving to the Passaic Vicinage where she served as civil division manager until she became the family division manager in September 2011.

“I am extremely humbled and grateful to serve Passaic County as the Judiciary’s trial court administrator and thank Director Grant and Assignment Judge Filko for this opportunity. I am honored to be in a position to make a difference in people’s lives and I look forward to continuing the legacy of integrity and dedication set by my predecessor, Robert Tracy. I am thankful to be able to work alongside the dedicated judges, managers and staff in Passaic County, as we continue to uphold the vision and mission of the judiciary,” Nowling said.

Nowling earned a bachelor’s degree from Ithaca College and a law degree from Syracuse University College of Law.

The trial court administrator is the highest-ranking staff executive in the vicinage in charge of all court operations, including financial management, human resources, and case flow management.



Marc C. Lemieux
Served as a presiding criminal division judge
Monmouth Vicinage

Lemieux in charge of Monmouth Vicinage

Superior Court Judge Marc C. Lemieux will serve as assignment judge for the Monmouth Vicinage, effective June 28, Chief Justice Stuart Rabner, announced. Judge Lemieux succeeds Assignment Judge Lisa P. Thornton, who passed away May 26 after 15 years on the bench, the last nine as assignment judge.

“One month ago, the Monmouth Vicinage and the State Judiciary lost a true leader. We miss Judge Thornton’s indomitable spirit and know that her influence and vision will continue to guide the work of the vicinage for years to come,” Chief Justice Rabner said.

“In selecting the next assignment judge, we cannot look to replace Judge Thornton. All we can do is move forward with the same level of dedicated service to the public that the Monmouth Vicinage is known for. I have every confidence that Judge Marc Lemieux will live up to that noble aim.”

Judge Lemieux was nominated by Gov. Chris Christie and joined the bench in August 2017. Judge Lemieux began his judicial career in the civil division in the Monmouth Vicinage and moved in July 2019 to the criminal division, where he was named the presiding judge in September 2021. Judge Jill O’Malley will serve as the new presiding judge of the criminal division.

Prior to joining the bench, Judge Lemieux worked for the Monmouth County Prosecutor’s Office, beginning as a trial prosecutor in the family division and moving up to several positions of leadership, including first assistant prosecutor for two years.

“I am humbled to take on this new role,” Judge Lemieux said. “Judge Thornton was a dear friend and the consummate professional. We will work hard to honor her legacy.” Judge Lemieux earned his undergraduate degree from Trenton State College and his law degree from Widener University School of Law.



Rudolph A. Filko
Served as a criminal, civil and family judge
Passaic Vicinage

Filko now leading Passaic Vicinage

Chief Justice Stuart Rabner named Superior Court Judge Rudolph A. Filko to lead the Passaic Vicinage, effective May 31. Judge Filko succeeded Assignment Judge Ernest M. Caposela, who retired after nearly 24 years on the bench, more than eight as assignment judge. Judge Caposela is continuing to work on Criminal Justice Reform initiatives. Fortunately, Judge Filko’s broad experience will enable him to lead the vicinage with skill and insight in the years ahead,” Chief Justice Rabner said. Judge Filko was nominated by Gov. Jon Corzine and joined the bench on Jan. 30, 2008. He received tenure in 2015. Judge Filko began his judicial career in the civil division and two months later moved to the family division, where he served for two years before being assigned to the criminal division in 2010.

Beginning in September 2014, he served a year in the civil division before again moving to the family division, where he has been the presiding judge since June 2016. He served as the juvenile recovery court judge for two years and presided over the adult recovery court program in the Passaic Vicinage for five years.

“I would like to thank Chief Justice Rabner for his strong leadership and the confidence he has shown in me. I am humbled and excited by the appointment as assignment judge of the Passaic Vicinage. I also wish to thank Judge Caposela for his guidance, support and outstanding leadership as our assignment judge. I look forward to continuing a close working relationship with our bar and with the dedicated, hard-working judges, managers, and staff in our vicinage,” Judge Filko said.

Assignment Judges Ernest Caposela of Passaic County, Bonnie Mizdol of Bergen County and Marlene Lynch Ford of Ocean County retired this year. They each recently reflected on their careers and what they are doing now.



Ernest M. Caposela
Retired assignment judge
Passaic Vicinage

Caposela retires from Passaic Vicinage

When and why did you decide to become an attorney?

It was 1973. I was an undergraduate. The Watergate impeachment hearings in the United States House of Representatives and in the Senate were televised non-stop. I was addicted to watching. There was a lot at stake and the drama during the hearings was palpable. The lawyers for both the House and Senate Judiciary Committees were razor sharp when questioning the witnesses and making arguments. They were superstars. I thought being a lawyer is something I would enjoy doing.

I admired New Jersey's own common sense Congressman Peter Rodino, also a lawyer, who chaired the House Judiciary Committee. He was always so fair and measured and in complete control despite the sometimes-chaotic atmosphere. There was also an underlying attraction to this. I was the product of an immigrant Italian family living in New Jersey.

Unfortunately, there was a negative and unfair stereotype of Italians from New Jersey. My parents and aunts and uncles were so proud of Congressman Rodino because he dispelled that stereotype. U.S. District Court Judge John Sirica, who presided over the Watergate trials was an influence on me for the same reason. There are a lot of lawyers today who were influenced by Watergate.

Finally my dad, in frustration, told me he never could win an argument with me so I should go be a lawyer. I did.

When and why did you decide to become a judge?

I was a general practice litigator with a concentration in criminal defense. Trial practice can be very adversarial, sometimes bordering on incivility. I was one hundred percent devoted to my client as was my adversary to their client. As I matured as a lawyer I grew tired of fighting. I tried to find common ground. Clients did not necessarily like that. They wanted to "win" at all costs. That is not what I wanted to do. I thought maybe I should be a judge because judges were always seeking a common ground.

What was the most challenging thing about being assignment judge?

The most challenging part of being an assignment judge is having to step up and be a leader of a substantial number of diverse personnel. Being a leader in the judiciary during a pandemic was difficult. The work of the judiciary is complex. Trying to keep everyone engaged, productive and happy was difficult. The most difficult decisions for assignment judges are not related to the cases but to judicial and staff personnel matters.

What was the most rewarding thing about being assignment judge?

The most rewarding thing about being an assignment judge was mentoring my law clerks. I loved watching them grow personally and professionally. I see where they are now and I am so proud of them. I am honored I played a role in their success.

What do you miss the most about being a judge?

I miss the feel of the courthouse. I miss the friendly and respectful staff. I miss the gravitas of the atmosphere and the importance of the work being done there.

What are you doing in retirement?

Since retiring, I am on statewide recall to the AOC. My passion during my full time status was criminal justice reform. I was honored to work on it in its early stages. That was back in 2014. The recently reconvened Joint Committee on Criminal Justice issued a comprehensive report discussing both the areas working well and those that should be examined for improvement. My assignment is to meet with all key stakeholders throughout the State to see how best to implement and maintain the reconvened JCCJ recommendations. I will meet with the stakeholders in each of the 21 counties over the next 12 months. I will act as the point person for all ongoing Criminal Justice Reform efforts.



Bonnie J. Mizdol
Retired assignment judge
Bergen Vicinage

Mizdol departs from Bergen Vicinage

When and why did you decide to become an attorney?

My original path was to teach business education at the high school level. My bother-in-law, a practicing labor law attorney, encouraged me to pursue a career in the law and I followed his guidance.

When and why did you decide to become a judge?

From the moment I sworn in, I aspired to become a judge. I was fortunate to be appointed the municipal court judge of my hometown, Wallington, in 1991 and remained its judge until my Superior Court appointment in 2006. That initial appointment led to three additional municipal court judgeships and ultimately my consideration for the state bench.

What was the most challenging thing about being assignment judge?

One of the most challenging things about being the assignment judge is the allocation of judicial resources to each division; balancing review of judicial performance, vicinage need, former private practice expertise and each judge’s individual desire for advancement within the judiciary.

What was the most rewarding thing about being assignment judge?

Instilling an “adapt and overcome” attitude in the vicinage and collaboration with the chief justice, director, all assignment judges, and AOC staff at Judicial Council; and participation in statewide committee work shaping the future of the courts.

What do you miss the most about being a judge?

The daily interaction with and camaraderie among the judges.

What are you doing in retirement?

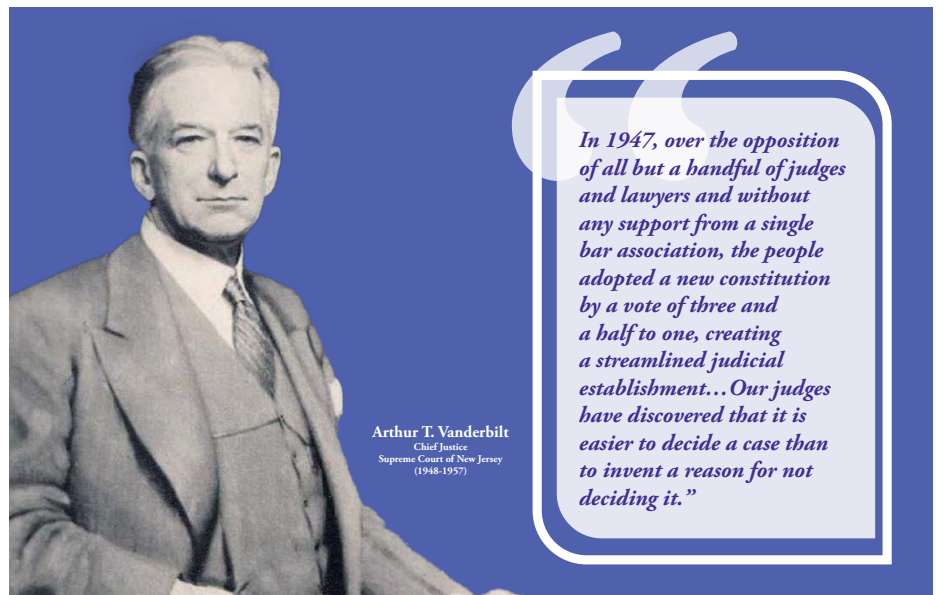
I have joined the alternative dispute resolution practice of Ferro, LaBella & Weiss, LLC located in Hackensack where I mediate and arbitrate family, probate and commercial matters.

Anything else you’d like to add about your judicial career.

I think it was the most rewarding career path I could have chosen. Though the pressures are great and hard to describe to those who aspire to serve, I would recommend to all who are up to the challenge.

I think it was the most rewarding career path I could have chosen. Though the pressures are great and hard to describe to those who aspire to serve, I would recommend to all who are up to the challenge.”

— retired Bergen Vicinage Assignment Judge Bonnie Mizdol, on why she decided to pursue a career in the law.



Arthur T. Vanderbilt
Chief Justice
Supreme Court of New Jersey
(1948-1957)

In 1947, over the opposition of all but a handful of judges and lawyers and without any support from a single bar association, the people adopted a new constitution by a vote of three and a half to one, creating a streamlined judicial establishment... Our judges have discovered that it is easier to decide a case than to invent a reason for not deciding it.”



Marlene Lynch Ford
Retired assignment judge
Ocean Vicinage

“For many months, I felt like we were in a tunnel which was dark and endless. I went to work almost every day to an eerily empty courthouse. The fact that we pivoted as an organization to adapt to this unforeseen circumstance is really a tribute to the innovative leadership of the Chief Justice and Director Grant. As a team, we made possible the seemingly impossible.”

— retired Ocean Vicinage Assignment Judge Marlene Lynch Ford, on working during the Covid-19 pandemic.

Lynch Ford departs Ocean Vicinage

When and why did you decide to become an attorney?

I only applied to one law school in 1976, and that was Seton Hall. I also applied very late, around April at the end of my last year of college. Vivian Post was a long time secretary in the admissions office of Georgian Court, where I had a student work job. She asked about my future and when I said I was undecided, she asked—rather told me!—to apply to law school. I wanted to become a lawyer, but I had every excuse in the world: I had no money; I was late in applying, and the class was full; and of course few if any young women had been accepted into law school from my small women’s college.

But Vivien persisted and I applied for her, thinking I would never start that August. Two weeks before the start of classes, Seton Hall let me know a space had opened and it was mine. I immediately took the train to Newark along with my \$100 deposit to secure my seat. Many courses, teachers and books inspired my interest in law, but I would never have been an attorney if it were not for Mrs. Post compelling the 22 year old me to apply.

When and why did you decide to become a judge?

I became a judge in 1992, at the age of 38. Although I would have preferred to wait a few years before accepting a judicial appointment, I also realized that often this offer is not repeated in the future. I will always be grateful to Governor Florio for seeing the potential in me, taking a chance and appointing me to the bench.

In 2015, Justice Rabner took a second chance on me, the first being when as Attorney General he recommended me to Governor Corzine for appointment in 2007 as Ocean County prosecutor. During my tenure as assignment judge, I faced many normal challenges of leadership, but certainly all is eclipsed by the impact of the world wide Covid-19 pandemic. For many months I felt like we were in a tunnel which was dark and endless. I went to work almost every day to an eerily empty courthouse. The fact that we pivoted as an organization to adapt to this unforeseen circumstance is really a tribute to the innovative leadership of the chief justice and Director Grant. As a team, we made possible the seemingly impossible.

What was the most challenging thing about being assignment judge?

The most rewarding aspect of being assignment judge were the relationships I developed with attorneys, staff, fellow judges and statewide policy makers. In the case of the Ocean Vicinage, my team finally convinced the Board of Commissioners to pursue construction of a new courthouse annex, a long neglected priority of the Ocean Vicinage

What do you miss the most about being a judge?

I miss working with my fellow judges, collaborating and at times commiserating with my fellow assignment judges, and working with the Supreme Court Statewide Domestic Violence Committee.

What are you doing in retirement?

On a positive note, retirement has allowed me to travel extensively with my husband and daughter. Italy, France, London, Florida, Vermont, upstate New York, and Washington DC have been or will be 2023 destinations. However, this Jersey Girl can’t live without sand between my toes, and it is always special to be home in Seaside Park. Like so many of my colleagues who retire, we really can’t fully give up our lifelong commitment to law, and I have found a professional home doing mediation, arbitration, investigations and even crisis management (channeling my inner Olivia Pope) at Wilentz, Goldman & Spitzer, based in Red Bank.



Lisa P. Thornton
Assignment judge
Monmouth Vicinage

Judge Lisa P. Thornton

Trailblazing jurist and assignment judge, passes

Judge Lisa P. Thornton, the Monmouth Vicinage assignment judge who broke barriers when she became the first woman of color appointed as the highest judge of a vicinage, died May 26, at the age of 59.

“Lisa Thornton was more than a gifted judge, inspiring trailblazer, and natural leader. She was brilliant and plain spoken, insightful and honest, direct and witty, and a selfless friend. Judge Thornton also cared deeply about making this a better world through her words and deeds. Her sudden passing is a loss to the Judiciary and to humanity.”
- Chief Justice Stuart Rabner



Judge Thornton had a long career in the executive branch and in the private section before then-Gov. Jon S. Corzine nominated her to the bench in 2008. Judge Thornton was nominated for tenure by then-Gov. Chris Christie in 2015.

After graduating from Long Branch High School, Douglas College - where she earned her undergraduate degree in political science - and Rutgers University School of Law, Judge Thornton worked as a senior trial attorney with Prudential Financial from 1992 to 2002. She also served as a municipal court judge in Neptune from 1999 to 2001.

Her commitment to public service was lengthy and unwavering.

Prior to her appointment to the bench, Judge Thornton served as chief of staff for the Department of Law and Public Safety in the state Attorney General's Office, where she assisted then- Attorneys General Stuart Rabner and Anne Milgram with the management and oversight of the department and its approximately 9,000 employees.

In 2006, Judge Thornton served as senior counsel to Governor Corzine and was assigned to the authorities unit, responsible for monitoring public boards and commissions, and dealt with issues ranging from healthcare and education to public finance and transportation. From 2002 through 2006, Judge Thornton served as special deputy commissioner for the state Department of Banking and Insurance, where she helped develop reforms that overhauled the auto insurance market.

Judge Thornton was highly acclaimed for helping spearhead a statewide criminal justice initiative that addressed prevention, enforcement, and re-entry. After she was seated as a judge, Judge Thornton served in the civil, criminal and family divisions and was presiding judge of the family division when Chief Justice Rabner named her assignment judge in 2014, succeeding Judge Lawrence Lawson.

“Judge Thornton was our leader, our colleague and most importantly our friend,” said Glenn A. Grant, administrative director of the courts. “I smile when I think about her life, her journey, and her connections to all of us. Maya Angelou stated, ‘People will forget what you said, people will forget what you did but people will never forget how you made them feel.’ Lisa Thornton made us feel special. She was a natural leader. Intelligent, honest, hardworking, personable, and funny. I will always remember her forthrightness, character, and charm. She touched many of us and we are better people because of it.”



“We are heartbroken as we try to process and comprehend the sudden passing of our beloved Assignment Judge and dear friend, the Honorable Lisa P. Thornton,” Gurpreet M. Singh, Monmouth Vicinage trial court administrator, said. “She has been the motivation, drive, and dedication behind all that we have accomplished together as a vicinage.

“Judge Thornton was a natural leader,” Assignment Judge Marc Lemieux said. “She was always supportive, but unquestionably honest. She told you the truth, even if you didn’t want to hear it. But in doing so – she made us better. I’m bold enough to say, that in one way or another, I believe she improved the lives of everyone she met.”

Judge Thornton was born and raised in Long Branch to Milford L. Thornton and Louise S. Thornton. She is predeceased by her parents and brother, Milford L. Thornton, Jr. She is survived by her nephew Kent A. Thornton, whom she loved like a son, and his wife Federica, great-nephew Lorenzo Thornton, great-niece and namesake Lisa M. Thornton, and a host of family, friends, and colleagues.

In honor of Judge Thornton’s lifelong dedication to the pursuit of justice and achieving diversity in the legal profession, the New Jersey State Bar Association has established The Hon. Lisa P. Thornton Memorial Scholarship for young African American women seeking to attend law school. Donations can be made by visiting www.njsbf.org.

Checks can be mailed made payable to the New Jersey State Bar Foundation with a notation to direct the funds to The Hon. Lisa P. Thornton Memorial Scholarship. Checks can be mailed to The New Jersey State Bar Association c/o Angela Scheck: 1 Constitution Square, New Brunswick, NJ 08901.

Note: Enjoy the video of the Feb. 22, 2019 JISA Program entitled, [“Inside the Actors Studio - Judicial Leadership: Achievements, Challenges and Change”](#) that featured Judge Thornton and Judge Charles W. Dortch Jr. with Administrative Director Glenn A. Grant moderating.



Deidra Barlow appointed assistant director for municipal court services



Deidra L. Barlow
Assistant Director
Municipal Court Services

Barlow's appointment was effective on Sept. 1, 2023.

Deidra L. Barlow is the new assistant director for municipal court services of the New Jersey Judiciary. Barlow, municipal division manager in the Hudson Vicinage, succeeded Steven A. Somogyi, who retired Sept. 1 after 29 years with the Judiciary, the last eight as head of municipal court services.

Barlow oversees a 13-member division that develops and implements policies and best practices to support New Jersey's municipal courts. "The Judiciary owes Steven Somogyi many thanks for his nearly three decades of outstanding service to the Judiciary," said Glenn A. Grant, administrative director of the courts. "Like Mr. Somogyi, Ms. Barlow has worked for the Judiciary for many years and brings that same passion, dedication, and commitment to the municipal division."

Barlow began her career with the Judiciary in 1993 as a probation officer in the Essex Vicinage and held various positions, including supervisor for the domestic violence and children in court services units and assistant family division manager. She moved to the Hudson Vicinage in 2010 to lead the family division before becoming municipal division manager in 2018. "Over her extensive career, Deidra has developed strong management skills and comprehensive knowledge about court operations. Those attributes, along with her well-rounded perspective, will be an asset to our municipal courts statewide," said Trial Court Services Director Jennifer Perez, to whom Barlow will report.

A graduate of Seton Hall University, Barlow earned her master's degree from Fairleigh Dickinson University. "My work experiences in the Essex and Hudson vicinages have prepared me well for this new endeavor. I am grateful for the opportunity to serve the Judiciary in this capacity and I sincerely thank Judge Grant for his confidence in selecting me as assistant director," Barlow said. "I look forward to working in municipal court services to continue its fine tradition of providing supportive services and assistance."

Construction Corner

The following are updates on some of the construction programs around the state.

New Salem County Courthouse

Work continues on this \$36.1 million project. The project is scheduled for completion in March 2024.

New Hudson County Courthouse

Construction is continuing on this \$317 million project, which is scheduled to be completed in late 2024.

SALEM



HUDSON



Back to school

By
Mike Mathis
Judiciary Times Editor

Supreme Court Associate Justice Douglas M. Fasciale and Appellate Division Judge Jack Sabatino have long since graduated from college and law school and have enjoyed exemplary legal careers over several decades.

Yet they decided to enroll in the Bolch Judicial Institute Master of Judicial Studies Program at Duke Law because they believed they still had a lot they could learn that could help them do their jobs better. Duke is the only law school in the country that



offers an advanced degree for sitting state, federal, and international judges.

Justice Fasciale and Judge Sabatino said they felt that exposure to the unique perspectives and experiences of diverse and experienced jurists was invaluable. They completed the 3-year program in the spring, and Justice Fasciale delivered the commencement address at the Duke Law School convocation in May.

“This entire experience was life changing, Justice Fasciale said. “It made me a better person, a better lawyer, a better judge, and a better collaborator on a court that requires open mindedness, and thoughtfulness. “This LLM program offers an intensive and challenging curriculum addressing an array of issues relating to judicial institutions, judicial behavior, and judicial decision-making,” he said. “I jumped at the opportunity to study those issues.”

Only active judges who sit on courts exercising jurisdiction over civil and/or criminal actions are eligible to apply for enrollment. The program requires four

weeks of on-site coursework over two consecutive summers, a total of eight weeks on campus. Students also are required to write a thesis based on original research. Courses are interactive and taught by scholars from the Duke Law faculty as well as from institutions around the country.

Justice Fasciale and Judge Sabatino said they discussed enrolling in the program together many times and they were grateful to receive Chief Justice Stuart Rabner’s approval to apply. Once admitted, they roomed together in an off-campus apartment when in-person coursework was required. The first year of the program was virtual due to the pandemic; the second year was held on campus, and the third year involved writing the thesis.

Justice Fasciale’s thesis, which was published by *Seton Hall Law Review*, is titled *Douglas M. Fasciale, A Case Study Analyzing How Trial Judge Experience Shapes Intermediate Appellate Review of Discretionary Determinations*.

Judge Sabatino’s thesis, *The Appellate Digital Deluge: Addressing Challenges for Appellate Review Posed by the Rising Tide of Video and Audio Recording Evidence*, will be published in the *Temple Law Review* very soon.

“I know if we both got in, the experience would be that much better,” Justice Fasciale said. “After 18 years (on the bench) I still had a strong desire to continue acting on my thirst for knowledge.”

“It was extraordinary to be in the midst of classmates who were from federal courts, state courts, a jurist from the Supreme Court of Mongolia, Poland and a mixture of appellate and trial judges and people who have been judges for a long time, and people who had much less experience, all contributing to the conversation,” said Judge Sabatino, who has been on the bench for 22 years.

“The conversations only began in the classes. They continued for hours beyond the time with our professors.”

In addition to the classwork, they participated in study groups with other

judges as well as kept up on their readings and other assigned coursework. “This was not simply you show up and get your degree,” Justice Fasciale said. “It was an intense and challenging curriculum. But the amount of energy we brought individually and together made that challenge surmountable.”

To prepare for the work ahead, Judge Sabatino said he made sure his written opinions were finished and made sure he kept up with matters as they arose. “It was a scramble to get ready to be there,” Judge Sabatino said. “My appellate colleagues were a great help.”

Judge Sabatino said he has put into practice what he learned, including statutory interpretation and data analysis. He said he has shared his insights with the other Appellate Division judges.

“I now have a much deeper appreciation for the way cases are handled, issues that have arisen elsewhere that are bound to be coming here,” Sabatino said. “I was proud to be a jurist from New Jersey, which has the best model in America of a court system, and we frequently discussed that in class.” Despite the knowledge he attained at Duke, he and Judge Sabatino said the lasting relationships they made was the most rewarding experience.

“It reminded me how important relationships are, that we can never forget that each person adds value that we all impact one another’s well-being,” Justice Fasciale said.

“We’ve bonded for life,” Judge Sabatino said. “The pressures and responsibilities of a judge can sometimes be very daunting, and to have the friendship and support of people who toil in the same vineyards are an exceptional thing.”





Julia A. Ashbey

First female Monmouth judge
Monmouth Vicinage

Julia A. **Ashbey** passes at 92

Julia L. Ashbey, the first female judge in the Monmouth Vicinage who played a pivotal role in one of New Jersey’s landmark legal battles, died July 24, she was 92. Judge Ashbey is perhaps best known in legal circles as the jurist who wrote a landmark decision on the highly publicized Baby M child custody case in the late 1980s. Mary Beth Whitehead responded to a newspaper ad from an infertility center, seeking women willing to help couples have children.

After giving birth to a girl, identified in court papers as “Baby M,” Whitehead sought custody of the child, although she had signed a contract to relinquish maternal rights to a married couple, William and Elizabeth.

With Appellate Division Judges Sylvia Pressler and Geoffrey Gaulkin, Judge Ashbey wrote a landmark opinion in 1987 denying Whitehead’s request for custody, not because of the signed contract, but in the interest of the baby’s long-term well-being.

“We conclude, for the time being, the interests of the child would be best served and protected by affording her the stability of the Sterns’ (biological father and adoptive mother) exclusive and uninterrupted nurture,” the judges wrote. Raised as Melissa Stern, “Baby M” is now in her late 30s. Judge Ashbey was born July 5, 1931 in Middletown Township to C. Vanderveer and Christina (Fish) Lovett. She attended the Rumson Country Day School and was the third generation in her family to attend the Brearley School in New York.

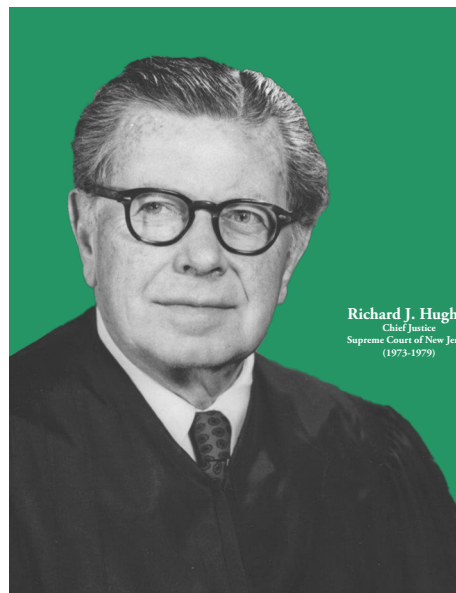
She earned her Bachelor of Arts degree from Barnard College in 1953 and was drawn to the law by “personal fascination” at a time when few women sought legal careers. One of only a few women to receive a law degree from Columbia Law School in 1956, Judge Ashbey was admitted to the New York State Bar in 1956 and joined the trusts and estates department at Paul, Weiss, Rifkind, Wharton and Garrison.

She later became staff counsel for the Citizens’ Committee for Children of New York, where she drafted legislation and performed other work protecting children’s rights. She became an associate and later a partner of Pillsbury, Russell and Carton in 1965. She was a member of the Juvenile Delinquency Committee of the New Jersey State Bar Association, Trustee of the Legal Aid Society, assistant Monmouth County Counsel and was active in the Monmouth County Bar Association.

Gov. Brendan T. Byrne appointed Judge Ashbey to the Monmouth County Juvenile and Domestic Relations Court in 1976, becoming the first female judge in Monmouth County. She was appointed to the Superior Court in 1978 and to the Appellate Division in 1985. She became presiding judge of the Superior Court in 1985 and retired in 1992.

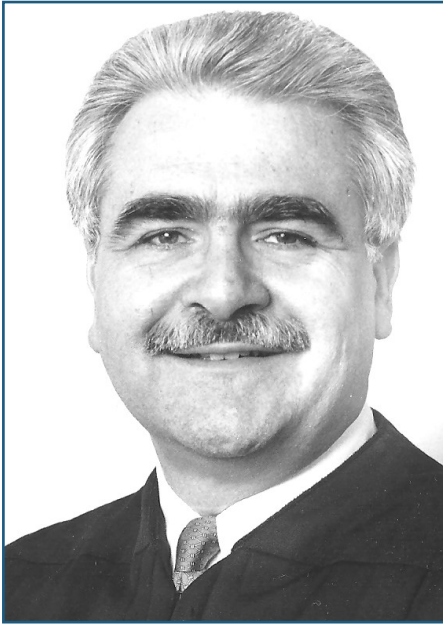
She and her husband moved to Santa Fe, New Mexico, and she became a passionate supporter and ultimately served as president of the Board for Cornerstones, a non-profit dedicated to preserving the architectural heritage and cultural traditions of New Mexico and the Southwest.

The couple moved to Oregon in 2013 to be closer to two of their three daughters. In addition to her husband William, to whom she was married for 66 years, Judge Ashbey is survived by her four daughters, seven grandchildren, and three great grandchildren.



Richard J. Hughes
Chief Justice
Supreme Court of New Jersey
(1973-1979)

The significant growth of the Court since 1948 has not been in the numbers of cases dealt with and Judges added to the system, though there have been many multiples in each category. Rather, it has been a persistent growth in what one might call the spirit, a willingness to cope with new problems and devise new solutions in the name of justice, as the common law unfolds and the Constitution adapts its magnificent basic philosophy to meet new societal problems, as a living organism rather than a dead letter.”



Peter Conforti
Exemplary and compassionate judge
Morris/Sussex Vicinage

Judge Peter Conforti passes at 79

Judge Peter Conforti, a legal giant in Sussex County who served on the bench for more than 40 years, died March 17 in Naples, Florida. He was 79.

Judge Conforti, was appointed to the Superior Court in Sussex County in 1983 by Gov. Thomas H. Kean, succeeding Judge James Quinn, who had retired in September 1982. Judge Conforti had served as municipal court magistrate in Sparta, Byram, and Sussex for 11 years. Judge Conforti retired in 2013 when he reached the mandatory retirement age of 70, but he continued to serve on recall until his death.

“Judge Conforti was not only an exemplary judge, but also one of the most compassionate and patient people I have ever met,” Morris/Sussex Vicinage Assignment Judge Stuart Minkowitz said. “He cared about every litigant and attorney that appeared before him. He generously gave his time to mentor judges

“Judge Conforti was not only an exemplary judge, but also one of the most compassionate and patient people I have ever met. He cared about every litigant and attorney that appeared before him.”

— Morris/Sussex Vicinage Assignment Judge Stuart Minkowitz

and law clerks, and was absolutely unflappable in the courtroom. He was the perfect mix of intelligence, patience, decisiveness and humor- every trait that you would hope to see in a great judge and human being.”

Born in Elizabeth on Nov. 9, 1943 to Peter and Anna (Wade) Conforti, Judge Conforti grew up in Elizabeth and Roselle Park. A graduate of Seton Hall Preparatory School and Saint Vincent College in Latrobe, Pa., Judge Conforti earned his law degree from Rutgers University School of Law in Newark in 1968.

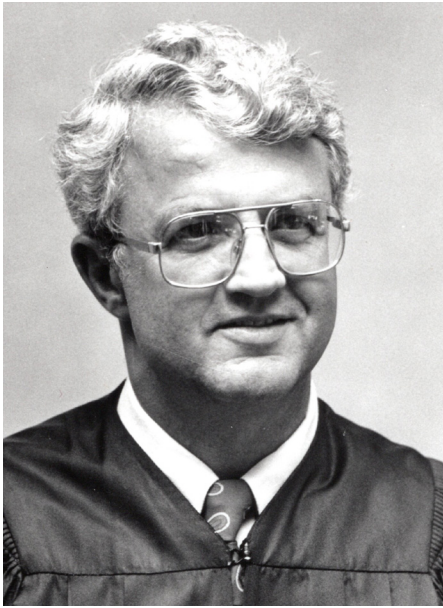
Judge Conforti moved Sussex County in 1971, founded a law firm in Sussex Borough, and pursued his goal of becoming a judge. He was 39 when he was sworn in as a Superior Court judge. He was assigned to the Morris/Sussex Vicinage, where he sat in the family and criminal divisions until his death.

Judge William McGovern, who sits in the civil division in Sussex County, had a close professional relationship with Judge Conforti that dated to his early days as an attorney and his first trial as an attorney in municipal court. The two developed a bond that carried into their personal lives; they and their spouses became friends, and the two took Italian classes together with the hope that they could travel to Italy and resume their Italian studies.

“His dry sense of humor (a true curmudgeon), combined with his warmth and intelligence made him a great conversationalist, and a very well-prepared, well-read, erudite jurist,” Judge McGovern said. “No one dared to try to pull the wool over his eyes. He was conscientious and demanding, but very personable and supportive.” Judge Conforti is survived by his wife, Cecelia Conforti, six children and 13 grandchildren.



Judge Peter Conforti administers the oath to attorney Atilla Azami in January 2023. Years earlier, Azami had been sentenced to probation for a drug offense and eventually graduated from college, law school and passed the New Jersey bar examination.



Robert Passero
Retired Passaic Vicinage assignment judge
Passaic Vicinage

Robert Passero passes at 84

Robert J Passero, who served as assignment judge of the Passaic Vicinage for nearly 10 years before his retirement, died May 9. He was 84..

“Bob Passero was a highly disciplined and caring judicial leader,” said Ernest Caposela, who served as assignment judge until he retired earlier this year. “He guided the vicinage through the difficulties of backlog reduction and civil best practices. Passaic County had a record number of civil cases on its docket. Bob knew he had to take a no-nonsense approach to succeed. He did and he was successful.

“His mantra to me as a new judge was simple, make a decision, putting it off makes it twice as difficult, respect the law, and above all be fair,” Judge Caposela said.

Judge Passaro was as born in Paterson to the late Rose Sgrosso and Joseph Passero and was raised in the silk city.

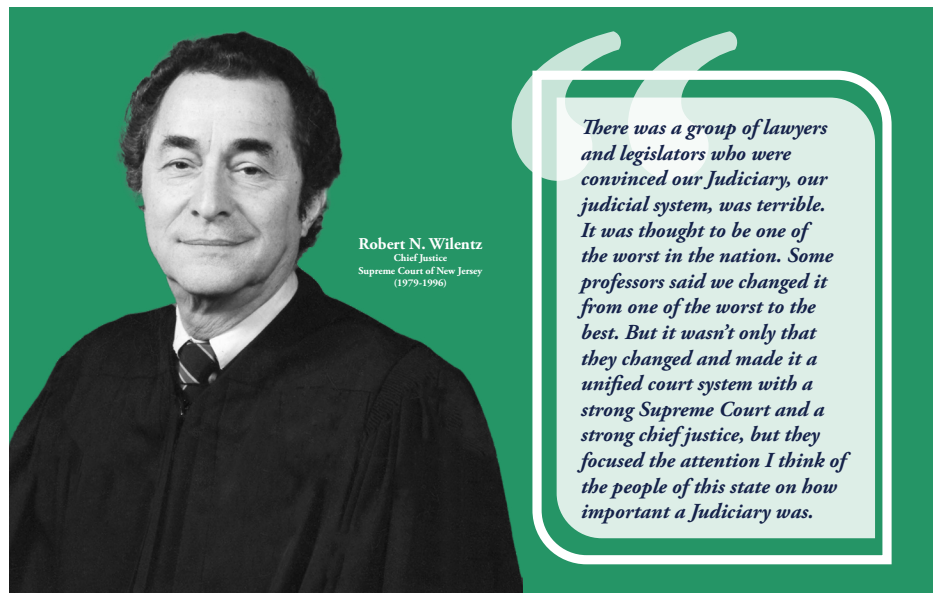
Judge Passero graduated from Rutgers University and earned his law degree from New York University. He began his legal career ith the firm of Raff and Passero in Paterson before establishing his own law firm in Hawthorne, where he lived for more than 60 years.

Gov. Thomas H. Kean named Judge Passero to the Superior Court in 1988. Chief Justice Deborah T. Poritz named him assignment judge in 1999, a position he held until he retired in 2008. Donald J. Volkert succeeded him.

In his spare time, Judge Passero enjoyed spending time with his family, especially with his nine grandchildren. He also enjoyed golfing and spending summers at the Jersey Shore. He was a former member of the former member of the Hawthorne Lion’s Club.

Judge Passero is survived by his wife Phyllis, who whom he was married for 61 years, three daughters and eight grandchildren.

The funeral Mass was held at St. Gerard Majella Roman Catholic Church in Paterson.



Robert N. Wilentz
Chief Justice
Supreme Court of New Jersey
(1979-1996)

There was a group of lawyers and legislators who were convinced our Judiciary, our judicial system, was terrible. It was thought to be one of the worst in the nation. Some professors said we changed it from one of the worst to the best. But it wasn't only that they changed and made it a unified court system with a strong Supreme Court and a strong chief justice, but they focused the attention I think of the people of this state on how important a Judiciary was.

SPOTLIGHT

Salem County Courthouse

The oldest legal building in New Jersey isn't in Newark, Jersey City or Trenton. It's in the smallest county seat in the smallest county by population in the state.

The old Salem County Courthouse is the oldest active courthouse in New Jersey and is the second oldest courthouse in continuous use in the United States.

The oldest courthouse in the nation is the King William County Courthouse in Virginia, which was building in 1725, 10 years before the Salem County Courthouse.

The Salem County Courthouse was built in 1735 during the reign of King George II using locally manufactured bricks. Judge William Hancock of the King's Court presided; he was later killed unintentionally by the British on March 21, 1778 during the Massacre at Hancock's Bridge. At least 20 members of the Salem militia lost their lives, some after attempting to surrender.

After the Revolutionary War, the courthouse the scene of the "treason trials," during which suspected British sympathizers were put on trial for allegedly aiding the British.

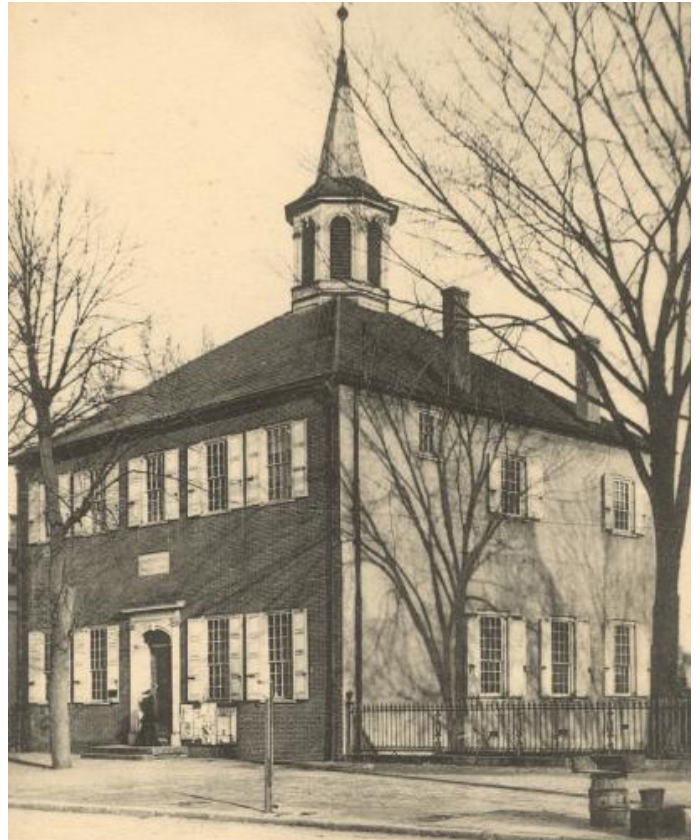
Four men were convicted and sentenced to death for treason; however, they were pardoned by Governor William Livingston and exiled from New Jersey. The courthouse was enlarged in 1817 and was subsequently remodeled and enlarged in 1908. The building's distinctive bell tower remains essentially unchanged.

A modern Salem County Courthouse was built in the late 1960s and is undergoing an expansion project scheduled to be completed in 2024. The three-floor, 47,000-square-foot additional is being constructed behind the existing courthouse and will be connected to the existing building, which is being renovated.

The old courthouse also is the site of the legend of Col. Robert Gibbon Johnson, who in 1820 ate a basket of tomatoes in front of a large crowd to prove they were not poisonous. Before 1820, Americans assumed tomatoes were lethal.

That event forged a connection between the city and the tomato. H.J. Heinz operated a factory that processed tomatoes into ketchup and chili from 1905 until 1977.

The Salem Tomato Festival is held on the third Saturday of August each year to celebrate the area's connection to the fruit.



The old Salem County Courthouse in Salem as it appeared in the early 18th century.



The old Salem County Courthouse in Salem as it appears today.

SPOTLIGHT

Warren County Courthouse

The town of Belvidere stands as a testament to the vision of Garrett D. Wall.

In 1825, Wall, a wealthy landowner who later became governor of New Jersey, had the foresight and the funds to divide his land into tracts surrounding a public square and donate it to Warren County, which had been created from the lower part of Sussex County the previous year.

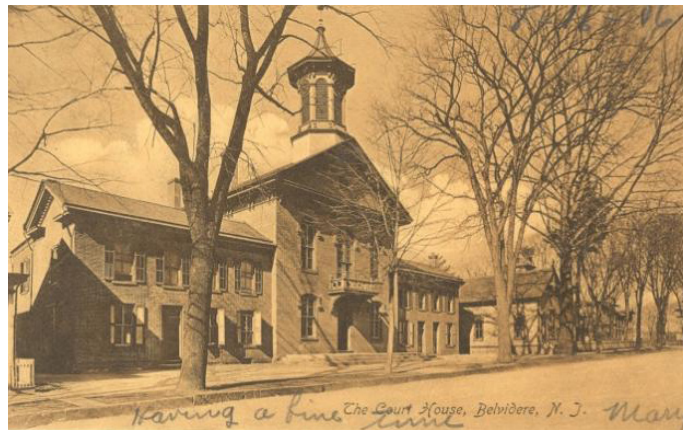
A courthouse and other public buildings were focal points of Wall's plan to develop Belvidere.

The county freeholders ordered \$3,500 raised toward construction of a brick courthouse with jail and offices for the clerk and surrogate on the first floor and a courtroom on the second floor. The final accounting for the project was \$9,942.24, according to the Warren County website.

Beyond a 1953 renovation and a 1961 addition, the courthouse has changed little. The two-story brick structure, originally 40 feet by 60 feet, now extends additional 40 feet. The jail situated in the lower story is gone, as are the gallows that were out front. The last public hanging in Warren County took place in 1892 in the jail yard with only legal witnesses present. The building's exterior was repainted in 2016.

In January 2021, Warren County Commissioners agreed to spend about \$1 million to repair plaster, install new carpet, upgrade lighting and the electrical, heating and ventilation systems and make technological enhancements to the original courtroom.

The project in the 2,533-square-foot space will include new heating and ventilation systems, an update to the electrical system and information technology enhancements, plaster repairs, new carpeting, and updated lighting, all while preserving its original historic aesthetic.



The Warren County Courthouse in Belvidere as it appeared in the early 1800s.



The Warren County Courthouse in Belvidere as it appears today.



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