

# JUDICIARY TIMES

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Fall 2012

*Succeeds James R. Rebo*

## McCarthy Named Chief Information Officer

**By Tamara Kendig**

Communications Manager  
Administrative Office of the Courts

Chief Justice Stuart Rabner has named John P. McCarthy III to succeed James R. Rebo as chief information officer for the Judiciary, effective Oct. 22.

As chief information officer, McCarthy will be responsible for all judicial branch information technology staff, infrastructure and operations and will oversee the development of new computer applications, IT security, data networks and strategic planning.

“Jack has extensive IT and managerial experience, and I am confident that he will lead the Judiciary in using cutting edge technologies to improve service to every court user,” said Chief Justice Rabner. “As the Judiciary expands its use of technology to become a fully integrated e-Court operation, we will rely heavily on the exceptional level of professionalism and dedication that Jack and his colleagues bring to every project.”

McCarthy began his Judiciary career in 1991, when he served in the Essex Vicinage as a program coordinator before moving to the Administrative Office of the Courts (AOC) in Trenton as a methods analyst.

In 1997, McCarthy moved to the Ocean Vicinage in the position of systems coordinator.

In 1999, he was named general operations manager for the vicinage, and in 2000, he was named manager of the Information Technology Division.

In 2006, McCarthy returned to the AOC as information technology security manager. He held this position until 2009, when he was named chief of the Automated Trial Court Support Unit.

A graduate of Rutgers University, McCarthy is a certified public manager and has completed the court executive development program of the National Center for State Court's Institute for Court Management.

“I am grateful for this new opportunity and am eager to lead our team of IT professionals, whose track record includes successes such as e-filing through the Judiciary's Electronic Filing and Imaging System and NJMCDirect, which remains the only statewide system to allow for the online payment of parking and traffic tickets,” McCarthy said.

McCarthy, 44, lives in East Brunswick with his wife Kristine, a partner at the CPA firm Harrison McCarthy &



John P. McCarthy III

Co.

Their daughter Shannan is a sophomore at Mother Seton Regional High School, and their son Connor is a senior at East Brunswick High School.

McCarthy has spent many years involved in youth sports, serving as the general manager and a coach for the East Brunswick Little League and a coach for the East Brunswick Fast Break Basketball League.

## *Mercer Family, Probation Staff Learn Through Shadowing*

**By Mike Mathis**

Judiciary Times Editor

Just one floor separates the family and probation divisions in the Mercer County Courthouse, but until recently, it might as well have been miles.

A lack of knowledge of each other's role in implementing, modifying and enforcing child support sometimes led to confusion and frustration for clients who didn't know where to go or with whom to speak for assistance.

To help narrow the distance between divisions, the vicinage began a job shadowing program in 2010 to improve

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# Mercer Divisions Narrow Their Distance Through Job Shadowing

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communication among staff and, ultimately, improve customer service.

"We have the same cases, same people, same kids, but we're handling two different sides of those cases," said Patti Amor, former assistant family division manager who recently retired. "There was a lot of confusion about where the litigations should be going, depending on where they were in their case.

"Although we have a really good relationship, there was little understanding in child support for what family does and in family for what probation does," Amor said.

The family and probation divisions work closely on child support matters, so it made sense to shadow each other so that each employee got a better understanding of each other's work.

Family establishes and modifies child support through the court, while support orders are enforced through

probation.

While a working relationship exists between the two divisions, most employees were unaware of the tasks performed by those in the other division, program organizers said.

"Despite the connection, most workers in each area are unaware of what workers in the other area do," the proposal for the program states. "At best, few have a superficial comprehension.

"When clients contact the vicinage with questions about their cases and /or procedures, this lack of understanding extends itself to the clients, and they are often confused as to whom to contact and where to go to get assistance," the proposal states.

Under the job shadowing program, probation staff joined family customer service staff at an intake window and followed several cases from scheduling and hearings through adjudication.

Family division watched while probation staff explained to litigants how child support is collected and enforced. Shadowing occurred in one-hour sessions over several months.

"We could all read reports, we could all sit in workshops, we could all go to seminars about what one division does and what the other does, but to get up and physically go down to see and sit there for awhile," said Sonya Nagele of the family division.

"Intake windows in both divisions get the public right from the very beginning, and we needed to have a better understanding of where to send them," Nagele said.

Feedback among staff has been positive. Employees say they have a better understanding of the child support process and have formed relationships between those in the other division.

And fewer clients have been directed to the wrong counter because of a misunderstanding over where their cases stand.

"I was glad to learn the intake process and some of the issues they face," said Jessica Jarembak, a senior probation officer on the child support staff. "I

also learned the path a case takes from intake worker to scheduling, to judge/hearing officer and then to be updated. I was glad to learn why a case would be scheduled before a judge and not a hearing officer."

Kelly Arbitell came up with idea and worked with Amor and Nagele, both of the family division and Cindy Van Eck and Karen McCormick of the probation division to draft proposal for Trial Court Administrator Sue Regan.

"We always had an excellent working relationship that was on the manager's level," Van Eck said. "We wanted to bring it down to the next level, which was front line staff and the supervisors."

Nagele said the committee consisted of workers who "didn't think their work was much. "This empowered the average employee with input."

Amor said the committee included supervisors, team leaders, clerical and probation officers.

McCormick said the shadowing went well and was expanded into the rest of the division related to just child support.

There are about 80 staff members in each division.

The biggest beneficiary, according to staff, is the public whose wait times are less and no longer are transferred between family and probation.

"(Clients) are not going back and forth between the divisions," Amor said. "They're not confused. We are addressing the customer's need in a more timely manner."

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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, Editor, *Judiciary Times*, Office of Communications and Community Relations, PO Box 037, Richard J. Hughes Justice Complex, Trenton NJ 08625-0037 or via e-mail at Mike.Mathis@judiciary.state.nj.us Submissions are subject to editing, and not all can be published.

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## Editor's Note

The deadline for the winter 2012-2013 edition of the *Judiciary Times* is Friday, Dec. 14.

Story ideas and submissions can be sent to Mike.Mathis@judiciary.state.nj.us.

## Conference Focused on International Court Administration

**By Giuseppe M. Fazari**

Assistant Trial Court Administrator  
Essex Vicinage

The 2012 annual conference of the National Association for Court Management featured a workshop about opportunities for court administrators who want to consult in developing and post-conflict countries.

Although some of the workshop participants had limited experience, most of the attendees did not have any exposure to international work.

Consultants should prepare for their visit by researching the country's culture, environment, and structure so that they are better prepared.

"Know yourself and your skill set. Accentuate your skills in your application. Don't try to be all things to all people. Play to your strengths," said Tom Langhorne, director of the Utah Judicial Institute.

For managers who have little or no experience in international court administration, speakers suggested becoming involved in the International Visitors Education Program of the National Center for State Courts and the International Visitor Leadership Program overseen by the U.S. Department of State.

These programs bring international visitors to the United States to promote mutual understanding between the U.S. and other nations.

The speakers also suggested that participants become involved with the Open World Program of the U.S. Library of Congress, which has a rule of law component, and the International Organization of Judicial Training. Norman Meyer, clerk of court for the U.S. Bankruptcy Court for the District of New Mexico who serves as vice president for the North America region, suggested that administrators interested in global affairs join the International Association for Court Administration (IACA).

IACA held its fifth international conference in The Hague, Netherlands, with 350 participants from more than

40 countries.

Many projects are initiated by the U.S. Agency for International Development (USAID), the U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL), and the World Bank. Most USAID and INL funding is distributed through competitive proposals.

Depending on the project, consultants are hired for long-term assignments or as technical assistants for less than a year.

Agencies screen potential consultants for expertise, and personal traits such as being receptive to different cultures and flexibility.

Speakers discussed at length the different models and tribunals of court administration including the International Court of Justice, Ministry of Justice (MOJ), a hybrid model in which the court functions under the auspices of the MOJ, an executive branch agency, yet has authority to govern its own staff and finances, and the independent judicial administration model such as that which is established in the U.S.

In addition to Meyer, other speakers were Kala Finn, project director for the International Visitors Education Program at the National Center for State Courts, and Milt Nuzum, director of the Judicial College for the Supreme Court of Ohio.

### *Videos Help Litigants Understand Court Process*

**By Tamara Kendig**

Communications Manager  
Administrative Office of the Courts

Litigants headed to municipal court in New Jersey will find some additional help in the form of new videos that explain how the municipal court process works, said Judge Glenn A. Grant, acting administrative director of the courts.

The new videos include a caution for undocumented residents: pleading guilty to any offense, including parking, traffic or petty criminal matters, could lead to deportation under federal law.

"Our system of justice relies on an

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Retired Appellate Division Judge Dorothea O'C. Wefing speaks during her final sitting as a judge at the Richard J. Hughes Justice Complex in Trenton on Oct. 16. Wefing, who retired in October, was presiding judge for administration for the Appellate Division. She was temporarily assigned to the Supreme Court for 15 months. Wefing became a Superior Court judge in 1984 and sat in the Essex and Hudson vicinages before she was elevated to the Appellate Division in 1993.

## Burlington Vicinage Wins 25th Annual Judiciary Olympics

By Mary McGinty Flanagan

Probation Services

Administrative Office of the Courts

Burlington Vicinage won first place in the 25<sup>th</sup> annual Probation Olympics competition on July 25 at Toms River High School South.

Union County finished second, and Atlantic/Cape May tied with the Morris/Sussex team for the third place trophy.

A total of 140 probationers from 19 counties and the Juvenile Intensive Supervision Program – the largest number of participating counties in Olympic history – competed in eight events. They were a 100-meter dash, a relay, long jump, softball throw for girls and football throw for boys, basketball free-throws, an obstacle course and a Tug-of-War.

Ocean Vicinage Assignment Judge Vincent Grasso was on hand to start the games following an opening ceremony that included a presentation of colors by the Ocean County Sheriff's Department, the singing of *The Star-Spangled Banner* by Tarah Wickersty of the Ocean County probation division and the recitation of the *Athlete's*



A color guard presents the flags during the 25th annual Judiciary Olympics. A total of 140 probationers from 19 counties - the largest number of participating counties in Olympic history - were in attendance.

*Pledge* by an Ocean County juvenile probationer.

Grasso also welcomed Roy Van Houten, the retired Ocean Vicinage assistant chief probation officer who began the event in Ocean County 25 years ago.

Other guests included Robert Smith, director of trial court services, Kevin M. Brown, former assistant director for probation services, and the chief and assistant chief probation officers from the participating counties.

First, second and third place medals were awarded to probationers in each event, and first, second and third place trophies were awarded to the top three counties receiving medals.

"We know it is important to give these kids an opportunity to compete and to be recognized in a positive way by Judiciary staff," said James Kelly, Ocean Vicinage's chief probation officer.

This event is sponsored by the Positive Interventions Committee, which is comprised of juvenile probation officers from throughout the state who meet to exchange ideas about activities and programs that enhance supervision with rehabilitative events.

The committee also has planned trips to museums and the Liberty Science Center.



Ocean Vicinage Assignment Judge Vincent J. Grasso addresses athletes and probation officers during the 25th annual Judiciary Olympics competition at Toms River High School South. A total of 140 probationers from 19 counties and the Juvenile Intensive Supervision Program participated in the games.

## How The Probation Division Enforces Restitution Orders

By **Thomas W. Bartlett**

Chief, Probation  
Collections, CEP  
Administrative Office of the Courts

*A defendant paid his restitution for an offense that had occurred years prior on an assault charge, but the victim could not be located.*

*The victim's information was missing from the case, so probation contacted the prosecutor's office. The prosecutor's office only had an attorney's phone number.*

*The attorney was contacted and was surprised to hear from probation. However, he supplied the victim's information.*

*He then informed probation that the victim was serving in Iraq and had a wife and two small children who were having a hard time paying their bills.*

*It was the end of October, and the \$3,000 would help with the upcoming holidays.*

*Through the enforcement efforts of the probation division, crime victims are financially compensated for losses they have incurred.*

The probation division disbursed more than \$210 million to crime victims from Fiscal Year 2000 through Fiscal Year 2011. An additional \$27.3 million has been indirectly disbursed by the division to victims through the Victims of Crime Compensation Office.

One of the main components of many cases is an order to enforce the collection of restitution.

Enforcing the restitution order compensates the victims of criminal acts and maintains the integrity of the judicial process.

Enforcing restitution orders can be hard in the best economic times.

In the current economic environment where unemployment has risen and spending has been restricted, the difficulty is magnified. The economy's downturn particularly impacted the probation client base.

Since 2007 the percentage of probation clients who are employed has decreased from 69 percent to 44 percent.

Without jobs, probation clients have

*The majority of probation clients, 55 percent, are in compliance with their payment plans. However, when clients are non-compliant, probation has available effective tools to enforce the restitution orders.*

few resources to meet their basic needs,

leaving little to pay restitution.

To remedy this problem, probation has emphasized employment and vocational education.

The division has joined with programs such as One Stop Career Center that assists probation clients obtain vocational skills and employment so that they can comply with their restitution obligations. Mental illness and substance abuse also must be addressed.

Successful enforcement of restitution orders begins when a defendant is sentenced. Restitution is set by the judge, and a reasonable payment plan is established that enable the individual the opportunity to comply with the order.

The judge's order is reinforced during the probation intake process. The probation officer reviews and reinforces the restitution obligation, the payment plan and compliance expectations during the initial visit and throughout the supervision term.

The majority of probation clients, 55 percent, are in compliance with their payment plans. However, when clients are non-compliant, probation has available effective tools to enforce the restitution orders.

To make these tools more effective, the processes to implement them have been or are being automated.

Failure to adhere to payment plans is immediately addressed through the Comprehensive Enforcement Program (CEP).

Clients who do not comply are automatically sent past due notices after being in arrears for 30 days. Further non-compliance results in a delinquency notice and subsequent summons to a CEP hearing before a CEP hearing

officer.

CEP hearings follow the alternative dispute model, designed for the most part to be non-confrontational. The primary purpose is to establish a realistic plan of action that will fulfill court imposed conditions.

Most hearings do not require the imposition of sanctions, but CEP hearing officers have several sanctions available when non-compliance continues.

Civil judgments and driver's license suspensions can be ordered when clients are in arrears.

The processing of civil judgments had been a manual, time consuming effort that impacts the probation division and Superior Court Clerk's Office.

This process recently has been automated, permitting resources to be put to more efficient use.

In the first year of automation, probation docketed more than 20,000 civil judgments.

Although suspending drivers' licenses is still a manual process, probation is working with the New Jersey Motor Vehicle Commission to automate the process.

Probation staff spends considerable time locating clients and victims. The skip tracing service Lexis Nexis is used to determine an individual's whereabouts. Warrants can be issued if a client fails to appear to a CEP hearing to address financial obligations.

Collecting restitution from clients is a difficult and challenging task, given their economic situations and treatment requirements.

However, it is an important one if the public is to maintain confidence in the Judiciary's ability to dispense justice and if victims are to receive recompense for the harm inflicted on them.

Each year the division collects millions of dollars that are distributed to victims.

This is accomplished by dedicated staff utilizing the enforcement tools available to them, and by taking advantage of automation whenever possible.

## Judiciary Represented at National Summit on Language Access

### *New Jersey Cited As National Pioneer in Court Interpreter Testing and Training*

By **Mike Mathis**

Judiciary Times Editor

A group from New Jersey attended the National Summit on Language Access in the Courts in Houston in October.

The three-day meeting, which involved nearly 300 court leaders from 49 states, three territories and the District of Columbia, focused on developing solutions to improve access for litigants who speak little to no English.

The New Jersey participants were Middlesex Vicinage Assignment Judge Travis L. Francis; Jersey City Municipal Court Judge Nesle A. Rodriguez; Brenda Carrasquillo, manager of language services; Dawn Materia, operations manager in Monmouth Vicinage and Louis Acevedo Jr., president-elect of the Hispanic Bar Association and deputy public defender in Bergen County.

Workshop themes included training for judges and court personnel; translation issues and best

practices; establishing and enhancing credentialing programs for interpreters; funding and authorization for interpreter programs; use of technology to increase efficiency and outreach efforts.

New Jersey served as the example of a fully and well developed credentialing program for interpreters, Carrasquillo said.

“The greatest benefits gained from the summit are the new relationships formed among the New Jersey team members, which have already generated more awareness and understanding of language access issues and varying perspectives, and new ideas and efforts to improve services in New Jersey Courts,” Carrasquillo said.

“It’s inspiring to see so many judicial leaders from around the country come together to forge a clear vision for how state courts can proactively develop common solutions to common problems,” said Mary C. McQueen, president of the National Center for State Courts, a nonprofit organization.

The New Jersey Judiciary’s language

services program has been cited as a national pioneer.

The Judiciary was a founding member of the Consortium for Language Access in the Courts, which was founded in 1995 to pool resources for developing and administrating court interpreter test and training programs.

Other founding states were Minnesota, Oregon and Washington.

The consortium now has 43 members.

The National Center for State Courts was charged with inviting other states and, subject to the approval of the consortium, other entities to become members of the consortium.

In April, the consortium gave its Mission Award to the New Jersey Judiciary “for the leadership exhibited by New Jersey when representatives met in 1995-96 to lay the foundation for an effort that would be successful and reap important and valuable benefits for the country’s state court systems.”

## Passaic Opens Customer Service Center for Family Litigants

By **Melanie Zajczkowski**

Family Division Manager  
Passaic Vicinage

The Passaic Vicinage family division has opened a customer service center to assist self-represented litigants in non-dissolution cases.

The center includes a database that links to the non-dissolution verified complaint and post dispositional application. It is believed to be the first of its kind in the state.

About 1,500 self-represented litigants have used the center to file complaints and applications since it opened in May.

“With the continuing increase in self represented litigants and our substantial multicultural population in Passaic, we



Passaic Vicinage family division staff work in the new customer service center. About 1,500 self-represented litigants have used the center to file complaints and applications since it opened in the Passaic County Courthouse in Paterson in May

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## Passaic Vicinage Opens Resource Center For Family Litigants

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have established an automated Public Service Kiosk Center in the family division to ensure quality service and assist people who are representing themselves in court," Passaic Vicinage Assignment Judge Donald J. Volkert Jr. said.

The database is available on 10 computer terminals. Users can answer simple questions about their filing. The answers are entered into the verified complaint or post-dispositional application.

The database also links to all required forms related to the filing, such as the affidavit of paternity, the uniform summary financial statement, and the case information statement.

The database does not let an applicant proceed to a section of the program without completing the previous fields.

After answering the questions, the user reviews the completed verified complaint or post-dispositional application and can make changes before printing it in a secure location and given to them by a family division intern, usually a college student who can answer questions and assist litigants utilizing the system.

The litigant then takes the form to a family division intake staff member who completes the interview process in NJKiDS, the state's child support system.

The program was designed and created by Family Division Manager Melanie Zajackowski, non-dissolution team leader Hayley Traverso and information technology analyst Yin-Lan Ho.

"The computerized self-help kiosks and visitation service represent our effort to make the courts more accessible and fair through user friendly technology," said Presiding Family Division Judge Ernest M. Caposela. "The public response has exceeded our expectations," Caposela said. "Despite the diverse cultural base of our pro se litigants, they all know how to use this technology."



Passaic Vicinage's court greeters pose after their annual luncheon. The volunteer greeters assist the public at the two main entrances to the Passaic County court complex in Paterson.

## Center in Somerset County Empowers Court Users to Access Community Services

**By Gaby Angulo**

Administrative Specialist II  
Somerset/Hunetrdon/Warren Vicinage

With the touch of a screen, court users in Somerset County can now access an array of social service providers through the Empower Somerset kiosk.

Empower Somerset, whose motto is "Encouraging Prevention with Education and Resources," unveiled the kiosk at the Somerset County Courthouse in May.

The kiosk allows litigants to obtain information on a variety of community services, including behavioral/mental health, clothing, food, financial and education assistance, domestic violence, family, health, medical, housing, job training/employment legal, special needs and substance abuse.

The information, which also is available in Spanish, can be printed or emailed from the kiosk.

The kiosk is located in the lobby of the Somerset County Courthouse, probation wing, 20 N. Bridge St., Somerville. The information on the kiosk also can be accessed at [www.empowernj.com](http://www.empowernj.com).

## New Videos Address Municipal Court Litigants

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informed public," said Judge Grant. "We take very seriously our obligation to inform and educate the public about court procedures as well as the many programs and services we provide."

Delivered by Municipal Court Presiding Judges Joan Robinson Gross and Edward H. Herman, the videorecorded "opening statements" include all of the information a municipal court judge delivers at the beginning of each court session.

One video addresses litigants in parking and traffic matters, one addresses litigants in criminal cases, and one video addresses all litigants headed to municipal court.

Litigants can be prepared for court before they arrive by watching the videos on the New Jersey Courts' YouTube channel at [youtube.com/njcourts](http://youtube.com/njcourts).

The videos are an informative resource for anyone who wants to learn more about the municipal courts.

## Gender Bias, Social Media Discussed on Professionalism Day



The New Jersey Judiciary and the New Jersey State Bar Association observed the second annual Professionalism Day on Oct. 17 with continuing legal education seminars across the state. Topics ranged from ethics and gender bias civility and social media.

Seminars on ethics and professionalism were held for judges and attorneys across the state. Events were planned by county bar associations and the Judiciary.



Professionalism Day is an initiative of the Judiciary, the U.S. District Court of New Jersey, the New Jersey Commission on Professionalism and county bar associations. Seminars were held in the federal courts on Oct. 16. (Photos courtesy of Burlington Vicinage and the New Jersey State Bar Association)



### Mission Statement of the New Jersey Courts

*We are an independent branch of government constitutionally entrusted with the fair and just resolution of disputes in order to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and laws of the United States and this State.*